THE ROLE OF THE SOUTH AFRICAN COUNCIL OF EDUCATORS IN THE DEVELOPMENT OF EARLY ENTRANT EDUCATORS

By

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Submitted in accordance with the requirements for the degree

MASTER OF EDUCATION

in the

FACULTY OF HUMANITIES

at the

CENTRAL UNIVERSITY OF TECHNOLOGY, FREE STATE

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2019

DECLARATION WITH REGARD TO INDEPENDENT WORK

The Role of the South African Council of Educators in the development of early entrant educators.

I, **Moshe Moses Makoa,** student number: **,** do hereby declare that this research project submitted to the Central University of Technology, Free State for the Degree: Master of Education in Educational Law (M.Ed.) is my own independent work; and complies with the Code of Academic Integrity, as well as other relevant policies, procedures, rules and regulations of the Central University of Technology, Free State; and has not been submitted before to any institution by myself or any other person in fulfilment (or partial fulfilment) for the attainment of any qualification.

MM Makoa

Date……

ACKNOWLEDGEMENTS

First and foremost, I would like to give thanks to God Almighty for granting me the precious gift, a healthy life, wisdom and insight to commence and complete my research. He promised never to forsake me and granted me the necessary wisdom and understanding to see the completion of this research project. In Him there is indeed no failure.

I hereby acknowledge and express my sincere gratitude to:

- The numerous people I met. As a full-time Master of Education student at Central University of Technology, Free State, Welkom Campus. Along the way I have met with much generosity and goodwill. Many people on many occasions have given me valued help and assistance. To list them here would cover too many pages. But for the innumerable acts of kindness, of hospitality and of support I have received, I am profoundly grateful.

- Many thanks to my supervisor, Dr LJ Segalo and Dr M A Modise, who read, corrected and gave profound advice on the completion of this research project. His patience, commitment and insight inspired and motivated me.

- The South African Council of Educators Research Unit, all the teachers and many other people who played a pivotal role in the completion of this study. You certainly added value to the research project.
- To all my family members, who often had to endure my absence in very important family gatherings. I am very grateful for your support and endurance.

DEDICATION

This dissertation is dedicated to:

- My late maternal grandmother, Matsepe Theresia Mohlakane-Makoa, who played a pivotal role in my upbringing from my infancy and encouraged me always to take education very seriously. I completed four degrees since she has departed, I know she would have been proud of me!

- My paternal grandmother, Tobele Maria “Nana” September-Nyane - her innumerable support, motivation and love has greatly sustained me throughout my life.

ABSTRACT

This research examines the role of the South African Council of Educators in the development of early entrant educators in the teaching profession. Teachers' professional development is often regarded as the key to successful education reforms. Hence, teachers are expected to experience continuous professional development to keep abreast with the relentless change taking place in the education system. However, problems arise when too much emphasis is placed on making sure that teachers take part in professional development initiatives. To some teachers, professional development is seen as a burden and not as an opportunity to improve their practice as the reforms has intended. This happens as the teachers are made to take part in various standardised professional development programmes that are not tailored to their specific needs. As a result, it has become less effective in helping the teachers improve their own practice.

This research takes the form of a qualitative study that employs three research instruments: document analysis, questionnaires that are filled in by all the teachers and semi-structured interview sessions. This research study is guided by three key questions: What are early entrant teachers' perceptions of the impact of professional development on their teaching practice? Secondly, what factors influence early entrant teachers' perceptions of the impact of professional development on their teaching practice as executed by the professional body SACE? Finally, what are the challenges or difficulties experienced and how effectively could SACE respond to the needs of early entrant educators?

The findings reveal that the participants have issues with sustaining changes to their practice; from the transformation process and the legislative framework utilised to transform and democratise education, the South African education system should have yielded good results by now. However, professionalization of education has been badly neglected as well as regulating unionism to adapt to progressive mechanisms and democracy. The character of South African education has not changed much except for registration with the South African Council for Educators (SACE) which is a legislated prerequisite for entrance into the teaching profession. To improve and to alter the education system, the Department of Basic Education should venture into adopting legal measures like writing board examinations just like the other major

professions due to prospective practitioners. Early educators experience external professional development overload while at the same time they are also struggling to create more opportunities for school-based professional development. In addition, the findings from this study also indicate that the participants want to have some say for their own professional learning. In addition, this study also stresses on the need for to the participants to experience one professional development programme at a time and to have enough support and follow-up during that time to ensure that changes in teaching practice are best sustained.

Keywords: SACE, early entrant teachers, teacher development, actual practice

LIST OF ABBREVIATIONS AND ACRONYMS USED

B.Ed.	: Bachelor of Education
B.Ed. Hon.	: Bachelor of Education with Honours
DoE	: Department of Education
SA	: South Africa
SACE	: South African Council of Educators
CPD	: Continuing Professional Development
CPTD	: Continuing Professional Teacher Development
ELRC	: Education Labour Relations Council
NQF	: National Qualification Framework
PD	: Professional Development
SADTU	: South African Democratic Teachers' Union
ANC	: African National Congress
IQMS	: Integrated Quality Management System
TPD	: Teacher Professional Development
TD	: Teacher Development
GDE	: Gauteng Department of Education
LTSMs	: Learner Teacher Support Materials
HEI	: Higher Education Institutions

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CHAPTER ONE

BACKGROUND TO THE STUDY

1.1 INTRODUCTION

Over the last decade there has been an increased demand for the development of early entrant educators in the teaching profession. In realising this objective, the higher education sector has gone through numerous changes in curriculum development for the training of educators, the introduction of new training facilities, schools of education; housed in the faculties of humanities, and faculties of education in a number of traditional, comprehensive and technology universities offering initial teacher education training and continuing professional development for early entrant educators. With the new model for the provision of teacher education and professional development, institutions such as colleges of education which had the mandate of providing training specifically for educators had been discontinued. It is in this regard that the research intends to explore the role of the South African Council of Educators (SACE) in relation to early entrant educators in selected institutions of higher learning and selected schools.

Many stakeholders have, however, criticised the introduction of new training model for early entrant educators, citing that it has not been doing justice in effectively training teachers, by providing them with the necessary skills, practical training and professional development as determined by the legislative mandate provided in the South African Council for Educators Act 31 of 2000. Section 5 (b) of the SACE Act no. 31 of 2000 mandates the Council to establish a professional assistance facility for educators *with regard to the promotion and development of the education and training profession- (i) must promote, develop and maintain a professional image; (ii) must advise the Minister on matters on matters relating to the education and training of educators, including but not limited to (aa) the minimum requirements for entry to all the levels of the profession (bb) the standards of programmes of pre-service and in-service educator education; (cc) the requirements for promotion within the education system; (dd) educator professionalism; (iii) must research and develop a professional development policy; (iv) must manage a system for the promotion of continuing professional development of all educators; (v) may develop resource materials to initiate and run, in consultation with an employer, training programmes, workshops,*

seminars and short courses that are designed to enhance the profession; (vi) may compile, print and distribute a professional journal and other publications; (vii) may establish a professional assistance facility for educators. This function has not been realised to its fullest because of the lack of resources and capacity to implement it. For the past few years SACE has been inundated with number of professional requests and queries that necessitated the establishment of the facility. These requests have been dealt with on an ad-hoc basis by the Professional Development Division. Because of the high need of professional assistance by educators, SACE has prioritised the establishment of this facility by including the conceptualisation, development, and implementation processes in the 2010 – 2013 strategic plans and the 2010/11 operational plan of the Professional Development Division (SACE, 2005:12).

Like all professionals, educators need to grow their knowledge and skills throughout their careers. Most professional bodies are tasked to engage their members in professional development activities. The Continuing Professional Teacher Development (namely the CPTD), is a system which has been designed to help teachers achieve their maximum professional development. SACE is mandated to manage the CPTD program, thus making it the main role player in teacher development. Despite the crucial role SACE has been mandated with, it is important to note that the South African Council of Educators has been criticized, to a certain extent by educators, teacher unions, and other quarters of the profession for not delivering adequately on its mandate. The interactions held with various teacher unions, Provincial Departments of Education, and outreach sessions with education highlighted some of the main concerns with regard to SACE as follows:

- Lack of communication with the profession;
- Not performing its role and seen as the arm of the Department of Basic Education;
- Inadequate provisioning of professional development programmes to educators: and
- Too much emphasis on disciplining educators

These concerns are not new to SACE and continue to be raised by members of the teaching profession on a yearly basis. The fact that the profession is still raising these

recurring concerns after two decades of SACE's existence may be interpreted differently by various role players and stakeholders. On the one hand, it may mean that as an organization SACE has not reflected and interrogated itself enough to ensure that such concerns are minimized or eradicated completely. On the other hand, different stakeholders, role players and members of the profession interpret SACE's role, mandate, and functions differently and this result in conflicting messages and interpretations of what SACE should or should not be doing. It could also be due to the fact that SACE's strategic goals seem not to be supported by operational and implementation plans that are considerate of the numbers and locations of the registered educators. The programme implementation strategies seem to be utilizing more financial and human resources but reaching less number of educators. It is imperative that these issues be interrogated because they contribute largely to the image of SACE and how the profession perceives it (SACE, 2005:6).

While there is criticism from some quarters of the profession, there are still members of the profession who acknowledge the good work that SACE is doing even though it is not reaching as many teachers as the profession would like. The OECD report on reviews of national policies for education in South Africa (2008:8) regards SACE as one of the most important bodies for the teaching profession in South Africa and it continued to mention that it is well positioned to improve the public image of teaching. The report further commended SACE for developing guidelines for Professional Development Portfolio which is assisting educators in taking responsibility for their own professional development and engaging in reflective practice. The Code of Professional Ethics Handbook was also highlighted by the OECD report as one of SACE's key achievements.

It is against this background that this research examined the role of SACE with regard to the development of early entrant educators in the teaching profession. Literature shows that little attention has been given in examining alternate forms of professional development for early entrant educators. Owing to the sparseness of literature available with regard to the development of early entrant educators in the teaching profession, it is evident that lack a lack of sufficient information exists in terms of formalised research. The idea of the teacher as a 'professional' is another challenging concept in the literature and one which needs to be explored. Some posit that being a professional is aligned with belonging to an occupational group that claims to have

specialist knowledge and the ability and trustworthiness to apply it to contribute to an improved service for society (O'Sullivan, Van Mook, Fewtrell & Wass, 2012:155. However, this concept of professionalism is increasingly being challenged by the emergence of a 'new professionalism' agenda (Guskey, 2002:384) which often emphasises 'professional standards' and external quantitative accountability (Ball & Cohen, 1999:392).

The meaning of teacher professional development is challenging for the main stakeholders in the educational world (King, 2011:153), with many terms used reciprocally in literature – *staff development, lifelong learning and continuing professional development* (Crawford, 2010:190). Some consider them all to be the same, while others attribute different meanings to them depending on the paradigm they are coming from. For the purpose of this research, the researcher examined the use teacher professional development as understood in the South African context, defined in Section 5 (b) of the SACE Act no. 31 of 2000. While it is not always advisable to transpose a system of one country with another, as the contexts might be different there is always great value in examining educational practices of other countries for benchmarking purposes. However, the researcher proposes to focus the research on the development of early entrant educators in the South African context, with particular reference to the role of SACE in developing the early entrant educators.

Based on the preceding discussion, it is clear that more effective, responsive and practicable programmes and initiatives are needed to professionally develop new entrant teachers in the South African schooling system. A number of newly qualified educators enter the system, not having the required skills and professional ability to cope in the teaching profession, thus resulting in a number of early entrant educators not coping in the classroom or altogether leaving the teaching profession. This can be avoided, by recommending alternate ways in which SACE can be responsive to early entrant educators across the country, build-up support structures for early entrant educators and provide adequate professional development training programmes.

1.2 RATIONAL AND MOTIVATION

The purpose of the proposed study is to explore and investigate the role of the South African Council of Educators in the development of early entrant educators in the teaching profession by systematically investigating ways in which SACE can improve

the actual practice of teaching, including sharing good practices among early entrant educators to develop professionally.

The rationale of the proposed study initially arose from the researcher's contact and informal conversations with student teachers and newly appointed teachers, with less than three years of teaching experience. During these conversations, all indicated they understand SACE as a disciplining organisation, as opposed to an institution mandated with the responsibility of professionally developing teachers. Some of the early entrant educators indicated that their last encounter with SACE was and ended the time when they applied for professional registration. Based on these encounters, the researcher started enquiring about the literature available in this regard, but soon realised that there was a lack of sufficient literature on this topic and a definite need for providing alternate ways in which SACE can effectively and efficiently execute its mandate.

To transform education in South Africa it is necessary for teachers to be appropriately equipped to meet its evolving challenges and needs (Department of Education 2007:4). The President's Education Initiative research project reports that the "most critical challenge for teacher education in South Africa was the limited conceptual knowledge of many teachers" (Department of Education 2007:4). The Report of the Ministerial Committee on Rural Education (2005) also identified teachers' limited access to PD (Department of Education 2007:5). The National Policy Framework for Teacher Education and Development is an attempt to address the need for suitably qualified teachers in South Africa (Department of Education 2007:5). This policy focuses on two complementary sub-systems: Initial Professional Education of Teachers and Continuing Professional Teacher Development (CPTD) (Department of Education 2007:2).

CPTD in the National Policy attempts to appropriately equip teachers to meet the challenges and demands of a democratic South Africa in the 21st century (Department of Education 2007:1). It is underpinned by the principle that "teachers are the essential drivers of education" (Department of Education 2007:3). Its ultimate aim is to enable learners to "learn well and equip themselves for further learning and for satisfying lives as productive citizens, for the benefit of their families, their communities and our nation" (Department of Education 2007:25). CPTD is most successful when teachers

are actively involved and reflect on their own teaching practice; when CPTD is contextualised and school-based; when developmental activities are well coordinated and when sustained leadership and support are present (Department of Education 2007:25). The CPTD system essentially strives to contribute to the improvement of teachers' teaching skills by equipping them to effectively execute their essential and demanding tasks, to continually improve their professional competence and performance, to enable and empower them by improving their professional confidence, learning area/subject knowledge and skills and classroom management, to improve their professional status, and to assist them in identifying suitable PD programmes that may contribute towards their professional growth (Department of Education 2007:1).

The South African Council for Educators (SACE), the statutory body for professional teachers, has an overall responsibility for the quality assurance, implementation and management of the CPTD (Department of Education 2007:19). All teachers registered by SACE have to earn PD points by selecting approved PD activities that meet their development needs (Department of Education 2007:20).

The Policy Framework identifies four types of CPTD activities: school-driven activities, employer-driven activities, qualification-driven activities and others offered by approved organisations (Department of Education 2007:17). A distinction is also made between compulsory and self-selected PD programmes. The education authority involved pays for the former, while teachers may receive bursaries for self-selected PD programmes (Department of Education 2007:3).

1.3 STATEMENT OF THE PROBLEM

The teaching and learning of teacher education students is a dynamic process. Like an amoeba that changes its shape, size and texture dependent on its surrounding; so likewise, should be the process of educating teacher candidates. This is because society is dynamic; hence teacher education should meet current changes in knowledge and skills. McLeod and Reynolds (2010:7) contend that ―we are teaching and learning in times of overwhelming change – changes in the way we know, changes in the way we teach and changes in what is expected of us as teachers and learners.‖ As we enter the twenty first century a variety of forces call for higher academic achievement for all school learners, especially in light of new research findings'

revealing that teacher professionalism and quality is the single most important school variable affecting student achievement (American Federation for Teachers, 2000). In its minutes of the meeting held on February 17, 2009 the Parliamentary Monitoring Group of South Africa discussed that it is important to start with professional and quality teachers before being able to speak about quality education because —you cannot give what you do not have. In this light, most nations, including South Africa, have focussed public attention on teachers and the quality of instruction.

The research question was: *How effectively could South African Council of Educators respond to the professional needs of early entrant teachers?*

Sub questions:

- What is the current role and practices of the South African Council of Educators?
- How effectively could SACE respond to the needs of early entrant teacher educational needs?

1.4 AIM OF THE STUDY

The aim of the study was to explore and investigate the role of the South African Council of Educators in the development of early entrant educators in the teaching profession by systematically investigating ways in which SACE can improve the actual practice of teaching, including sharing good practices among early entrant educators to develop professionally.

In light of the above, the main research question is as follows:

How can the South African Council of Educators (SACE) improve its crucial mandate of developing early entrant educators in the teaching profession?

Secondary research questions

- To investigate the current role and practices of the South African Council of Educators towards the professional development of early entrant teachers;
- To identify to which extent is the South African Council of Educators supportive of early entrant educators;

- To determine which strategies are more effective that can improve the current practices of SACE towards early entrant teachers;
- To recommend ways in which SACE could create awareness of its activities and professional matters to early entrant educators on a regular basis.

1.5 RESEARCH APPROACH, DESIGN AND METHODOLOGY

1.5.1 Research Design

This study followed a qualitative research approach because it was aimed at gaining a better and in-depth understanding of the phenomenon as it occurs in a natural setting. The use of qualitative research approach is supported by Krathwohl (2009:236) who states that qualitative procedures are ideal for exploring complex a phenomenon about which there is little knowledge. Through exploration, qualitative methods teach us how to understand a phenomenon. In this investigation, the phenomenon was the role of the South African Council of Educators in development of early entrant educators in the teaching profession. Krathwohl 2009:237) describes the intent of qualitative research as not necessarily to map and conquer the world but to sophisticate the beholding of it. By “sophisticate” he means qualities that humanize problems, that holistically portray complex, interactive phenomena; that show how others perceive their world; and that provide insights on difficult problems.

Several writers have identified what they consider to be the prominent characteristics of qualitative or naturalistic research. McMillan and Schumacher (2010:21) provide concise information on what the qualitative research is based on:

1. Assumptions about the world: qualitative research is based to a large extent on constructivist philosophy that assumes that reality is a multi-layered, interactive, shared social experience that is interpreted by individuals. Reality is a social construction that is interpreted by individuals. Reality is a social construction, that is, individuals and groups derive or ascribe meanings to specific events, persons, processes, and objects from individual and collective perceptions or views of the same situation.

2. Research goal: it is concerned with understanding the social phenomenon from the participant’s perspectives. That understanding is achieved by analysing the many

contexts of the participants and by narrating participants' meanings for these situations and events. Participants' meaning include their feelings, ideas, thoughts and actions.

3. Research methods and process: qualitative researchers study participants' perspectives with interactive strategies: participant –observation, in-depth interviews and supplementary techniques. In qualitative research, there is a great deal of flexibility in both strategies and the research process. Qualitative researchers use an emergent design and revise decisions about the data collection strategies during the study.

4. Researcher's role: Qualitative researchers become immersed in the situation and the phenomenon being studied through interactive social role which they record, though observations and interviews with the participants in a range of contexts.

5. Importance of the context in the study or context sensitivity: qualitative research develops context bound summaries. The qualitative researcher believes that human actions are strongly influenced by the settings in which they occur. The researcher cannot understand human behaviour without understanding the framework within which subjects interpret their thoughts; feelings and actions.

In order to achieve the best-informed findings from the study, a qualitative (Creswell 2007:19) explorative and descriptive approach was employed to explore an in-depth understanding of educators' views of the new CPTD system, as well as the quality of existing PD to which they are exposed. For change to be meaningful in schools, it is necessary for the proposed CPTD system to contain the promise of improving the previous PD system. A phenomenological approach was used in order to understand participants' personal meanings which were constructed from their "lived experiences" (Johnson & Christenson 2019:7; Rudestam & Newton 2001:38). Apart from being a description, phenomenology is also regarded as an interpretative process where the researcher makes an interpretation of the lived experiences of participants (Creswell 2007:59).

1.5.2 Qualitative Research Design Method: Phenomenological Study

This section describes and justifies the qualitative research design method the researcher proposes to implement in the investigation, namely the phenomenological approach. The researcher answered the primary research question:

How can the South African Council of Educators (SACE) improve its crucial mandate of developing early entrant educators in the teaching profession?

McMillan and Schumacher (2006:346) explains that the purpose of a phenomenological study is to describe and interpret the experiences of participants regarding a particular event in order to understand the participants' meanings ascribed to that event. This can be thought of as capturing the essence of the experience as perceived by the participants. The basis of phenomenology is that there are multiple ways of interpreting of interpreting the same experience and that the meaning of the experience for each participant is what constitutes reality. The phenomenological method or study is fundamental for this study which seeks to investigate the role of the South African Council of educators in the development of early entrant educators. In the sense that the experiences as perceived by the participants who will be forming part of the study, are important in determining what constitutes reality and how in particular the participants perceive the role of SACE with regard to the professional development of early entrant educators.

A phenomenological study focuses much more on the consciousness of human experiences. Typically, there is a search for essential or invariant structure in the meanings given by the participants. The researcher needs to suspend, or "bracket," any preconceived ideas about the phenomenon to elicit and better understand the meanings given by the participants (McMillan and Schumacher 2007:22). Through this approach the researcher will attempt to record the views, opinions, thoughts and ideas in order to make a scientific conclusion about the phenomena under investigation.

1.5.3 Research Methods

Fusch and Ness, (20015:1408) maintains that methods refer to the specific means by which data is collected and analysed. In this study, the researcher proposes the following data collection techniques:

1.5.3.1 Literature Review

The main purpose of literature review is to relate previous research to the specific topic which is proposed to be investigated (Randolph, 2009:9) namely; the role of the South African Council of Educators in development of early entrant educators in the teaching

profession. Rocco and Plakhotnik, (2009:124) contend that the literature review in a research project has several purposes, namely:

- It shares the results of other studies that are closely related to the particular study undertaken, with the reader.
- It relates the investigation to the larger study that is undertaken on the top.
- It attempts to fill in gaps and extend other prior studies.
- It provides the framework within which the importance of the study is established.
- It serves as a benchmark for comparing the results of the study with the findings from other studies.

The literature review helped the researcher to identify methodological techniques that have previously been used to research similar phenomenon as well as identify contradictory findings (Rocco and Plakhotnik, 2009:124). The literature review therefore allowed the researcher to develop a theoretical or analytical framework that serves as a basis for the analysis and interpretation of the data that is collected during the course of the research project. The literature review in this research was conducted in a manner consistent with the methodological assumptions of qualitative research. It will be used inductively to determine the questions asked by the researcher.

1.5.3.2 Focus group interview

According to Rabiee, 2004:656) the focus group interviews is characterised by inviting a few participants to discuss a topic under the leadership of the researcher. Krueger (1994:6) regards the focus group as a carefully planned discussion designed to obtain perceptions on a defined area of interest in a permissive non-threatening environment. According to Ho, (2006:4) care must be taken to encourage all participants to talk and to monitor individuals who may dominate the conversation. Focus group interview methods are not inherently superior to any other methods, except that they are more or less appropriate given a certain context. The advantage of a focus group interview is that synergy of the group has the potential to uncover important constructs, which may be lost with individually generated data.

1.5.3.3 Sampling

Sample selection is qualitative research is usually non-random, purposeful and small as opposed to the larger, more random sampling of quantitative research. In this proposed study, purposeful sampling will be employed. In purposive sampling people are aware, as the name implies, of the particular purpose (Leedy & Ormorod 2005:219). This implies that the sample is chosen because they are likely to be knowledgeable and informative about the phenomena the researcher is investigating.

Maree (2007:328) further explains that in purposive sampling a particular case is chosen because it illustrates some feature or process that is of interest for a particular study – though this does not simply imply any case we happen to choose (in Silverman, 2008:104). In purposive sampling, the researcher must first think critically about the parameters of the population and then choose the sample case accordingly. Clear identification and formulation criteria for the respondents is, therefore, of cardinal importance. Silverman, 2008:70) comments as follows in this regard.

The rationale for the researcher to purposefully select schools is informed by the notion that the schools, have played a pivotal role in the provision of quality education for many years. The current assumption, based on the matric performance report, which states that the schools are thus far one of the best performing schools in the Ekurhuleni North District, with learners attending contact classes on a daily basis.

1.5.3.4 Selection of participants

As mentioned-above that purposeful sampling in qualitative research is small, as opposed to the larger, more random sampling in quantitative research. In this research, the researcher selected participants purposefully. The researcher selected purposefully a group of 15 (early entrant educators) in the Thembisa cluster of schools. To enhance trustworthiness of the study, further details (geographical, age, qualifications etc.) of the participants will be provided, although not a requirement in the study.

1.5.3.4.1 Schools/Teachers

A purposive sample of one school with maximum variance (McMillan & Schumacher 2010:319) was selected: a high schools. The selection was based on accessibility, previous research projects in these school which added to a trust relationship between

the researcher and participants, and these schools' focus on school development. From the selected school, participants were purposively selected by principals to ensure that information-rich participants were included in the study (Etikan, Musa & Alkassim, 2016:2).

Focus group interviews were used to facilitate the collection of data simultaneously and to increase the quality and richness of the data (Gill, Stewart, Treasure, & Chadwick, (2008:292). The focus groups consisted of post level one teachers, who recently graduated from institutions of higher learning, their experiences ranging from one to two years. Each focus group session lasted approximately one hour. A follow-up focus group interview for the sake of clarity was held with School A.

Personal interviews were conducted with 15 early entrant educators (Schools A, B and D). The teacher of School C preferred the presence of the deputy head and one HOD at her interview. The principals valued the teaching time of other teachers during school hours; teachers were also not available after school hours. All interviews were held at the schools that participated in the study.

Table 1: Types of school

Type of school	**Location of the school**	**Socio-economic status of the school**
School A: a parallel-medium primary school with 627 learners (previously a Model C school)	Urban, within a middle-class community	52% of learners from previously disadvantaged groups A Quintile (4) school where many learners are exempted from school fees

1.5.3.7.1 Focus groups

Twelve (15) participants from schools were used. three focus group discussions were used to explore the concepts related to 'early entrant teacher professional development' in the education system.

1.5.3.7.2 Data analysis

Qualitative content analysis (Henning, van Rensburg and Smith, 2007:86) was used to analyse the data. The researcher identified categories and then themes to build an in-depth picture of the participants' views. Henning *et al*. (2007) point out that there needs to be an integrated view of the data so that meaningful concepts can be constructed.

1.5.3.7.3 Trustworthiness

Lincoln and Guba (1985:105) suggested the following techniques for ensuring the quality of a study:

- Prolonged engagement;
- Persistent observation;
- Triangulation;
- Referential adequacy;
- Peer debriefing;
- Member checking;
- Reflexive journal;
- Thick description;
- Purposive sampling;
- Audit trail.

Furthermore, Lincoln and Guba (1985:104) argue that establishing trustworthiness in qualitative research replaces the positivist criteria of validity and reliability.

Four issues of trustworthiness were used:

- Credibility: I spent significant time at the schools with the participants and ensured prolonged engagement with them.
- Transferability: The of professional development of teachers was conducted in two and four schools. I provided a thick rich description of the research findings around teacher professional development so that sufficient information was given to be able to evaluate the applicability of findings to other contexts (Lincoln & Guba, 1985:98).

- Dependability: This is a process of providing clear and traceable accounts of how the research was done (Lincoln & Guba, 1985:98). Reflexivity and self-insight are also critical components of ensuring integrity of findings. To these ends, all original documents and data were made available for review. Supervision throughout the process and around thematic analysis ensured integrity of findings in study.
- Confirmability: This is a measure of how well the study's findings around teacher professional development are supported by the data from interviews of students and teachers I questioned my findings and analyses in terms of possible biases and assumptions (Lincoln & Guba, 1985:98). I checked the data, and my analysis was triangulated by an unbiased expert to ensure confirmability.

1.5.3.7.5 Ethical considerations

The ethical considerations which the researcher took into consideration are one of the following: informal consent, approval, confidentiality, anonymity, feedback and honesty.

- Informed consent

Richards and Schwartz (2002:135) indicate that informed consent is achieved by providing subjects with an explanation of the research and an opportunity to terminate their participation at any time with no penalty as well as full disclosure of any risks associated with the study. Consent is usually obtained by asking participants to sign a form that indicates an understanding of the research and consent to participate. The nature of the study was explained to research participants and they were given the choice of either participating or withdrawing from the study.

- Approval

The researcher obtained approval for conducting the research from institutions concerned before any data is collected.

- Confidentiality

Information obtained about the participants was kept confidential unless otherwise agreed upon in advance, through informed consent. This implied that no one has access to the original data except the researcher.

- Anonymity

The researcher gave each participant a code number and label all written documents with that code number rather than with the person's name. The researcher ensured that no one will be able to identify the participants once the study is terminated.

- Feedback

The researcher provided subjects, with the opportunity to receive the results of the study in which they participated in. This entailed informing the participants of all the requirements and issues related to the study including time commitments, areas of discussion and questions to be asked, issues of recording the discussions, including anonymity.

- Honesty

The researcher reported the findings in a complete and honest fashion without misrepresenting what is done, or intentionally mislead anyone as to the nature of the findings. Under no circumstances did the researcher fabricate data to support a particular conclusion. In addition, Ritchie, Lewis, Nicholls and Ormston, 2013: 48) suggest that researchers should be concerned with preventing subjects from being harmed, protecting their anonymity and privacy, not deceiving them, and securing their informed consent as mentioned earlier.

1.6 CONCEPT CLARIFICATION

1.6.1 Development

Development is always aimed at becoming better in terms of the acquisition of new skills, attitudes and knowledge (Ono & Ferreira, 2009:67). It should lead to improved effectiveness. In terms of the provisioning of education, development should entail the betterment of knowledge, skills and attitudes to improve the quality of education provided. Educators are developed or empowered in various ways by their schools,

Provincial Departments of Education (hereafter referred to as PDEs) and even educator organisations**.**

1.6.2 Professional Development (PD)

According to Kriek and Grayson, (2009:189) professional development describes an ongoing development programme that focuses on the whole range of knowledge, skills and attitudes required to educate learners effectively. It refers to the participation of educators or educational leaders in development opportunities in order to be better equipped as educators and educational leaders. The PD activities are undertaken individually or as a collective by educators. The activities in a developmental programme happen throughout the career of educators. During the activities the knowledge, skills and competence of the individual educators or the collective are enhanced. Professional development involves development which increases the personal professional skills of an educator (Kriek and Grayson, (2009:189).

The South African Council for Educators (hereafter referred to as SACE) (2008:3) stipulates that PD enhances or increases educators' "mastery of the curriculum and their learning areas, their skills in teaching and facilitating learning, their understanding young children and young people and their developmental needs and their commitment to the best interest of their learners and their schools. Steyn (2008:25) writes that PD is any deliberate and continuous process involving the identification and discussion of present and anticipated needs of individual staff for furthering their job satisfaction and career prospects and of the institution for supporting its academic work and plans, and the implementation of programmes of staff activities designed for the harmonious satisfaction of needs.

1.6.3 Continuous Professional Development (CPD)

Continuous Professional Development (CPD) refers to any professional development activities educators engage in with a view to enhancing their knowledge and skills that will enable them to consider their attitudes and approaches to the education of children with a view to improving their quality of teaching and learning (Bubb & Earley, 2004:4; Day & Sachs, 2005:9). Bubb and Earley (2004:5) furthermore explain that CPD "is an ongoing process building upon Initial Teacher Training and induction, including development and training opportunities throughout a career and concluding with preparation for retirement".

1.6.4 Educator

An educator is any person, excluding a person who is appointed to perform extracurricular duties exclusively, who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and educational psychological services at a school (Hirsh, 2009:13). To be classified as an educator a person has to be registered or provisionally registered with the South African Council for Educators (SACE).

1.6.5 Early entrant teachers

Entrant- is a person who becomes a member of a group or organisation: new entrants to the school/company (Peterson, Valk, Baker, Brugger & Hightower, 2010:160).

Teacher- someone whose job is to teach in a school or college (Cambridge Dictionary, 2004).

1.6.6 South African Council of Educators

A statutory body and public entity, that has the responsibility to contribute towards achieving government's mandate, national priorities, goals and outcomes in the education sector (SACE, 2012).

1.6.7 Teacher/educators

The term teachers/educators are used interchangeably in this study. This is so to accommodate both terminologies which are expressed in documents and schools since the democratic dispensation. Most of the old teaching crop still refer to educators as teachers and the official SACE documents make use of the educator.

1.7 THEORETICAL FRAMEWORK

This study will draw on a new newly developed conceptual framework for in-service professional development – the Whole Teacher approach. A significant departure from the traditional approach to professional development that speaks primarily to teachers' acquisition of knowledge and skills, the Whole Teacher framework emphasizes promoting all aspects of a teacher's development, including attitudes, knowledge, and practice. In order to understand the impact of complete professional development on early entrant teachers. Teachers' quality has become a topic of increasing interest in the discussion of South African education. Numerous research studies indicate that

the key to increasing teachers' proficiency in teaching is their continuing development and learning through effective professional development (Borko, 2004:9; Desimone, 2009:190; Guskey, 2003:750; Wei, Darling-Hammond, & Adamson, 2010:32). Effective PD updates teachers' content knowledge, exposes them to new teaching strategies and methods, sustains their teaching effectiveness, and prompts continuous growth (Desimone, 2009:192; Hawley & Valli, 2007:125). As such – the Whole Teacher Approach moves away from the traditional frameworks and guides this study systematically and holistically, hence aspects such as unprofessional conduct and teacher-unionism and their impact on teacher professional development are lengthily discussed.

1.8 CHAPTER SUMMARY

Chapter one provided an advance organiser to the discussion and research about professional development in teacher education and the role of SACE in this respect. Some of the antecedents that prevail in teacher professionalism and the role of SACE are briefly discussed in the background section. A rationale for the current study is also provided as well as the illumination of ways in which the current study contributes to research knowledge. Further reference has been made to methodological highlights. In addition, key concepts have been clarified as well. The chapter ends by giving an overview of the outline of the thesis.

CHAPTER TWO

LITERATURE REVIEW

2.1 INTRODUCTION

A review of literature is necessary in any study so as to have a deeper understanding of the topic under study. This chapter looks at the meaning of teachers' professional development and discusses its significance to the teaching profession and the notion of teacher professionalism. Several themes that emerged from the literature base reviewed such as the professional development of early entrant teachers', the legislative role of the South African Council of Educators, the changing paradigm of professional development, the impact of professional development on teaching practice, core features of effective professional development, changing teaching practice and teachers' motivation to change are also discussed.

2.2 THE SOUTH AFRICAN COUNCIL FOR EDUCATORS (SACE)

Legislation enacted on the 27th of April 2007 deals extensively with how SACE should carry out its mandate of the ongoing professional development of educators (DoE, 2007). The concept of CPTD was introduced and the role that SACE should play regarding the management and implementation of this system was outlined. The quality of educators' professional practices is a continuing process that lasts for the duration of the career of a committed professional educator (SACE, 2008:4). In keeping with the NPFTED the SACE (SACE, 2008) makes provision for an expanded concept of CPTD activities. The underlying principle is that educators, individually and collectively, have a high degree of responsibility for their own ongoing professional development as well as the identification of their own professional needs (SACE, 2008:4). Furthermore, according to SACE (SACE, 2008), it is envisaged that the benefits of educator development activities should lead to the improvement of learner achievement, especially in the poorer and disadvantaged communities.

The CPTD system consists of CPD activities endorsed by the SACE for which educators will earn CPD points (SACE, 2008:5). Educators earn CPD points by undertaking a variety of these SACE endorsed CPD activities. The phrase "professional development activities" includes individual study, designing and executing school improvement projects, organising or attending cluster workshops,

attending training courses, mentoring novice educators, leading or participating in peer group support through educator networks, participating in and contributing to professional association conferences, obtaining additional formal professional or subject qualifications and many others (SACE, 2008). According to SACE (2008) it is expected of each educator to earn a minimum of 150 CPD points over a successive three-year cycle and points earned in excess of the 150 points will roll over to the next cycle. However, an educator may not earn more than 90 CPD points in a single year, except when the educator is completing a formal qualification. The three-year cycle promotes flexibility and choice in the sense that educators are enabled to plan their development activities according to their needs and circumstances. The following three kinds of development activities are stipulated in the CPTD document (SACE, 2008):

- Educator priority activities that are chosen by educators themselves for their own development and the improvement of their own professional practices.

- School priority activities that are undertaken by the school leadership and staff collectively, focusing on Whole School Development and the institutional conditions for the improvement of improve teaching and learning.

- Profession priority activities that have directly to do with enhancing the professional status, practices and commitments of educators in areas of greatest need.

2.3 PROFESSIONALISM

According to SACE (2005) policy, professionalism refers to how society views teaching as a profession and professionalisation refers to the issue of teachers as reflective practitioners. McCulloch, Helsby and Knight, (2000:26) and Hargreaves and Goodson (1996:7) distinguish between teacher professionalism and teacher professionalisation. They argue that teacher professionalisation is a sociological project that focuses on the authority and status of teaching as a profession. On the other hand they are of the view that professionalism is a pedagogical project that focuses on what Englund and Solbrekke, 2014:82) refers to as —internal quality of teaching as a profession. According to Sayed, (2004:255) teacher professionalism could be construed as the

ability to reach students in a meaningful way, developing innovative approaches to mandated content while motivating, engaging, and inspiring young adult minds to prepare for ever-advancing technology.

Teacher professionalism in South Africa traces its roots in the apartheid era during which teacher autonomy, which is a central tenet of professionalism, was severely undermined. According to Taylor, (2007:530) teacher education was underpinned by fundamental pedagogy which instilled passiveness and obedience to authority. As a result it contributed to producing teachers who did not —consciously exercise their professional autonomy (Ono & Ferreira, 2010:60). The current debates on teacher professionalism revolve on professionalism as an instrument to empower teachers or as an instrument to control teachers' work. Sachs, (2003:178) suggests two discourses of teacher professionalism – one is what she calls democratic professionalism and the other one she calls managerial professionalism. Managerial professionalism emanates from outside the teaching profession and it is often imposed by employers to control teachers' work. This form of professionalism often sees teachers as service providers or merely state employees rather than professionals with autonomy to determine the nature of their work.

The democratic professionalism on the other hand emanates from within the teaching profession and its logic is to improve the nature of teachers 'work and to entrench teacher autonomy. It also works with a conception of teachers that assumes that teachers are highly skilled and knowledgeable and therefore they are able to exercise professional judgment. According to Tickle, (2001:55) teacher professionalism contains three essential characteristics, competence, performance, and conduct, which reflect the educator's goals, abilities, and standards, and directly impact the effectiveness of teaching through the development of these qualities.

The characteristic of competence is fundamental in an educator's pursuit of excellence. A discussion on competence focuses on three important ideas: preparation, knowledge of subject area, and defined pedagogy (Koehler & Mishra, (2009:66). The first, preparation, prepares the professional for the adversity of the classroom. From language and cultural barriers to socio-economic differences; all educators face deterrents in the classroom that must be broken down by individualized techniques. The second, knowledge of subject area builds confidence and enables the

educator to focus on how to relate subject matter to the students and their cultures within classrooms.

The final portion of competence is discovering and assuming a defined pedagogy. A professional teacher who has a defined pedagogy has already journeyed through several trials to discover which pedagogical techniques are most effective (Henninger, Flowers & Councill, (2006:79). Although competence is essential to teacher professionalism, it is only useful if the educator is able to perform. Performance is second characteristic. A professional teacher educates so that students learn concepts and apply them to their lives. This type of educator becomes an active teacher rather than a passive teacher, showing the students a genuine interest in their progress as students. The final characteristic of teacher professionalism, conduct, is equally as significant as the first two. The manner in which an educator carries himself or herself is a reflection of one‘s classroom, school, community, and educational system. Conduct is a representation of how well one takes care of himself or herself, from aesthetics to language and behaviour. A professional teacher desires to locate effective communicative skills to achieve preferred educational goals.

In addition to the foregoing characteristics Phelps (2006:72) prefers three ‗R‘s of professionalism, namely responsibility, respect and risk taking. Phelps (2003:10) emphasizes the fact that professionalism means that educators fully accept the challenges of teaching. Teachers who assume responsibility for student learning have a sense of efficacy, a critical component of professionalism Krishnaveni & Anitha, (2007:153). Teachers who are committed use respect as a touchstone for their actions. They model integrity, or wholeness (Palmer, 2017:3), and present an authentic self to students while they acknowledge that vulnerability is a part of teaching. Phelps (2006:73) argues that if —the essence of teaching is taking chances then risk taking is an important indicator of professionalism. Teachers, who are not afraid to pose difficult questions, engage in critical pedagogy or take unpopular stands.

Within the post-apartheid South African education system, the policy framework created space for teacher professionalism than under apartheid. There was room for teachers to participate in policy making. The post-apartheid state has also come up with a number of policies that have an impact on the nature of teachers ‘work. The Norms and Standards for Educators were gazetted as a policy in February 2000 (DoE,

2000). The Norms and Standards for Educators envisage teachers who are not only competent and qualified, but they also envisage teachers who are curriculum developers. In addition, the policy conceptualizes teachers as researchers and knowledge creators. These have implications for teacher autonomy, which is central to teacher professionalism. Whether the programmes of teacher development support teachers sufficiently to be able to fulfil these expectations is another matter.

Commenting on the policy framework, Rodgers and Scott, (2008:734) and Bullough, (2005:25) point out that the expectations from teachers are too high; they are not matched by any form of action to make the expectations realizable. The policy also ignores the reality of lack of support or inadequate support from the state to make sure that the ideals are realized in practice. The policy is much suited to contexts with independent and highly professionalized teachers. The Norms and Standards for Educators reflect contradictions between policy intentions and implementation (Jansen, 2001:245; Jansen, 2004:56). In theory, the policy attempts to re-professionalise the teacher, but in practice it could result in more deprofessionalisation (SACE, 2005) as skill expectation is beyond what teachers possess. Another policy that has a bearing on teacher professionalism is the Integrated Quality Management System.

The Integrated Quality Management Systems (IQMS) was agreed upon in the Education Labour Relations Council in 2003 (Resolution 8 of 2003). The government sees this policy as a shift from the system of inspection to a system of self-evaluation and external evaluation. According to SACE (2007) the policy attempts to locate teachers in their working environment rather than judging their performance in isolation to their working environment. The IQMS was an attempt to integrate the Whole School Evaluation (WSE), Performance Measurement System (Resolution 1 of 2003) and Developmental Appraisal System (DAS) (ELRC, 2003). The practicality of this has been questioned. Morake, (2013:67) argues that practically it seems rather problematic to identify needs, provide support, rate performance and evaluate the entire school using the same instrument. Further, du Plessies, (2016:15) is of the view that IQMS was designed by the bureaucrats to simplify their job – it was conceived more for convenience rather than to support teachers and to recognize their ability to make professional judgments. So, the administration of the IQMS results in intensification of teachers‘work. The other important policy that impacts on teacher

professionalism is the Revised National Curriculum Statement that was developed basing on Curriculum 2005.

In 1997 the democratic government introduced Curriculum 2005 which was based on the philosophy of outcomes-based education. The Revised National Curriculum Statement (2002) is very clear on its expectation of teachers to be able to develop materials and make professional decisions regarding the presentation of the curriculum. Here there is an attempt not to separate the conception of teachers 'work from its execution – the separation has been noted to deprofessionalise teachers because it treats teachers as mere implementers of ideas decided by the bureaucracy (Govender, 2009:160; Msibi & Mchunu, 2013:26). Notably, the conception of teachers 'work in the RNCS (2002) is guided by the nationally specified outcomes. Critics like Baxen and Soudien (1999:139), and van Renen, (2005:114) have questioned the idea that OBE gives teachers space to use their professional judgment. They argue that judgment is confined by the predetermined outcomes. Curriculum 2005 also forced teachers to be in a discourse that they were not familiar with (Parker & Adler, (2005:71). For instance, teachers were forced into diversification of expertise (Stoffels, 2005:543), where they were expected to integrate subjects (some of which they did not have expertise in).

SACE (2005) policy reveals that the post- apartheid policies have contradictory effects on the nature of teachers work. One argument advanced is that the policy framework seems to encourage teacher professionalism on paper, but its implementation tends to contradict professionalism. Secondly, the policy overload and the intensification of teachers 'work have contributed to the loss of space for teachers to develop themselves. This has a negative impact on teacher professionalism because one of the central tenets of professionalism is knowledge and creativity. The policy framework has also tended to homogenize teacher identities (Carrim, 2017:16) and portrayed teachers in images that they do not identify with. The foregoing sentiment correlates with the idea put forward by SACE (2005) that overall the policies are in tension with the reality on the ground where teachers are inadequately prepared and they do not conceptualise themselves in sophisticated terms that are reflected in the policies. Portraying teachers in new images will not necessarily change the learning and teaching or their practices.

Another argument is that the proliferation of policies in the post-apartheid era has not only resulted in confusion among teachers, but it has resulted in policy overload. The implication of this is not only loss of confidence among teachers, but also a feeling of being overworked (SACE, 2005). There is no doubt what loss of confidence and feeling of being overworked can do to both teacher autonomy and teacher productivity. In a study on educator morale in South Africa conducted by Steenkamp, (2013:68) and Beckmann & Minnaar, (2010:149), it was found that one of the sources of demoralization amongst teachers was overload of paperwork and administrative tasks. In light of the arguments advanced above there is a general agreement that where professionalism is concerned, autonomy, accountability, knowledge and ethical conduct are important in teachers'work. However the increased bureaucratic accountability in South Africa has undermined teachers' skills as focus is more on learners passing tests. In the final analysis the importance of teacher development cannot be overstated given the reality that most of the teachers were trained under the apartheid system which did not encourage professional autonomy and the involvement of teachers in policy matters (SACE, 2005). Research by Krishnaveni and Anitha (2007:149) has revealed particular professional characteristics of educators attributed to impact positively on teaching and learning. These are discussed below.

2.3.1 Professional characteristics of a teacher

Krishnaveni and Anitha (2007:154) have developed a comprehensive model of professional characteristics of an educator that would help prepare educators for quality teaching. They argue that educators should develop as lifelong learners, reflective thinkers and ethical leaders exemplifying the ideals of literacy and scholarship. Krishnaveni and Anitha (2007:154) have grouped the characteristics under three categories, namely, skill, concern for others and concern for self.

2.3.2 Skill

Subject knowledge, teaching prowess and updating knowledge are classified as skill because these characteristics contribute to enhancing one's professional competence, which is mainly teaching. The educator's subject matter knowledge influences the way in which the educator teaches and the educator who knows more about a subject is more interesting and adventurous and more effective in the way he/she teaches (Ball, Thames & Phelps, (2008:402). Teaching prowess or the ability

to teach includes pedagogy, communication skills and expertise. It augments the transferring of knowledge to the students, which is the prime responsibility of the educator. According to Snell and Swanson (2000:7) expert teachers seek out on-going opportunities to enhance and refine their craft. Quality teaching ranges from the actions of the educator, to the knowledge an educator possesses, to the creativity of the educator, (Beghetto & Kaufman, (2011:104). Beghetto & Kaufman, (2011:104), argues that educators have to be open to new ways of thinking about old issues because they should be wary of believing that they have all the knowledge and importantly experience they require to understand how teacher education students experience their educational journey. In light of the foregoing, educators need to challenge themselves always to learn more, to become engaged, to comprehend the interplay between theory and practice (praxis), and to accept that individuals experience phenomena differently. Blanton, Sindelar and Correa, (2006:122) have focussed on the multidimensional nature of the concept and have defined educator quality as encompassing two parts:

a) good teaching, meaning that the educator meets the expectations for the role (for example, upholding the standards of a field of study and other attributes and practices); and
b) effective or successful teaching, meaning the results of the educators‘ actions on student learning and achievement

In other words, one dimension in the absence of the other falls short of fully defining teacher quality. The aptitude and the dexterity of the educator are positive and rich when the knowledge is updated. Koster & Dengerink, (2001:351), argue that as in all other professions a close relationship between educational research and development and the teaching profession seems to be indispensable. McLeod and Reynolds (2007) propose that educators should be at the forefront of educational research. They describe classrooms as providing the ideal environment in which to test educational theory. In short the sphere of skill relates to the content knowledge that the educator possesses, his/her ability to transfer this knowledge to the students through his/her expertise, the pedagogy he/she uses and the communication skills that he/she possesses and the need for lifelong learning for an educator which encompasses updating of content knowledge, and action research which updates him/her with the student feedback (Krishnaveni and Anitha, 2007:155).

With reference to the skills characteristics, Pace (2004:1183) mentions that a consensus has formed within growing circles in academia that there is scholarly research to be done on teaching and learning, that the systematic creation of rigorous knowledge about teaching and learning is a crucial prerequisite to responding to major challenges facing academia. Elton (2001:47) indicates that there are reasons for valuing an approach to teaching commonly called the scholarship of teaching because it involves:

 asking questions about student learning and the teaching activities designed to promote student learning in an effort to improve one's own teaching practice;

 answering those questions by systematically analyzing evidence of student learning; and

 sharing the results of that analysis publicly in order to invite review and to contribute to the body of knowledge on student learning in a variety of contexts.

However, Carr (2008:148) contends that by critically examining their own educational experiences educators can become more attuned to how teacher education students might be experiencing teaching and learning.

The conceptualization of the scholarship of teaching embodies Boyer's (1997:42) four separate yet overlapping functions of an educator. These are the scholarship of discovery; the scholarship of application; the scholarship of integration and the scholarship of teaching. The first element of Boyer's (1997) model, discovery, is the one most closely aligned with traditional research (Savage & Betts, (2005:4). Discovery contributes not only to the stock of human knowledge but also to the intellectual climate of a college or university (Mutemeri, (2010:145). The second element, integration, focuses on making connections across disciplines. One interprets one's own research so that it is useful beyond one's own disciplinary boundaries and can be integrated into a larger body of knowledge. Boyer (1997) alludes to the fact that the rapid pace of societal change within a global economy has elevated the importance of this form of scholarship. The third element, application, focuses on using research findings and innovations to remedy societal problems. Included in this category are service activities that are specifically tied to one's field of knowledge and professional activities. Finally, Boyer, (1997) considers teaching as a central element of scholarship. Many educators state that they are primarily interested

in teaching, but they feel that their institutions do not value or reward excellence in teaching (Borra, 2001:17). Boyer‘s (1997) conceptualization of scholarship elevates the traditional role of teaching from being teacher centred to student centred. From the foregoing discussion four elements of quality teaching can be deduced, namely; teaching as a form of scholarship, teaching as community property, teaching as a focus on student learning and finally teaching as focus on evidence of students’ knowledge.

2.3.3 The process of teacher candidates’ professional learning (early entrant teachers).

Korthagen (2010:99) analyses the friction between teacher behaviour in practice and the wish to ground teacher‘s practices in theory. To this end Korthagen focuses on how teacher educators ‘and researchers’ understanding of teacher behaviour, teacher learning and pedagogy could be used in teacher education. Korthagen (2010:101) argues that —learning as it normally occurs, is a function of the activity, context and culture in which it occurs, i.e. it is situated.ll Hence, he develops the situated learning theory. The situated learning theory contrasts with most classroom learning activities which involve knowledge which is abstract and out of context. According to Korthagen (2010:102) social interaction is a critical component of situated learning – students become involved in a community of practice which embodies certain beliefs and behaviours to be acquired.

In clarifying his theory Korthagen (2010:100) develops a three-level model which contributes not only to the clarification of the process of education students ‘professional learning but to a better understanding of the relationship of theory to practice. The diagram below provides details of its components.

In his three-level model based on a study about teacher behaviour, Korthagen, (2010:100) combines situated learning and cognitive theory – theories which earlier on were considered as incompatible by writers such as Cobb and Bowers (1999:9). The three-level model contributes to a better understanding of the relationship between theory and practice. By integrating the two theories Korthagen tries to offer an integrating image by taking into account the shift in the purpose of knowledge, which can take place during a teacher‘s development. The first rectangle represents the relationship between experiences and internal processes in a teacher. The notion

of a gestalt in the second rectangle represents the view that human behaviour is mediated by experiential body-mind system, processing information in a rapid manner (Korthagen, 2010:101). This system, Epstein (1990:168) argues, involves cognitive, emotional, motivational, and behavioural factors. For example, if a teacher reacts without much reflection, his/her reaction is based on unconsciously and momentarily triggered images, feelings, notions, values or behavioural inclinations. These factors remain unconscious and thus form a whole that Korthagen, (2010:409) calls a gestalt. This broader conceptualisation of a gestalt, considered as a dynamic and constantly changing entity, encompasses the whole of a teacher‘s perception of the here-and-now situation, that is, both his or her sensory perceptions of the environment as well as the images, thoughts, feelings, needs, values, and behavioural tendencies elicited by the situation.

The implicit learning taking place during the process of gestalt formation is not so much characterised by conceptual development but rather by what Marton and Booth (1997:6) call the development of awareness. Through the changed awareness of the phenomenon, the relationship between the person and the phenomenon is changed. Lave and Wenger (1991:12) argue that the gestalt formation process is the result of a multitude of encounters with similar situations in everyday work. At the schema level the teacher becomes consciously aware of the underlying sources of his/her behaviour. During reflection a teacher‘s previously unconscious gestalt develops into such a conscious cognitive schema. When a teacher aims at developing a more theoretical understanding it leads the teacher into the last level, the theory level. This is the level at which a logical ordering is constructed in the knowledge formed before, that is, the relationships within one‘s schema are studied or several schema are connected onto one coherent theory. However, studies carried out by Hoekstra, Brekelmans, Beijaard and Korthagen, (2009:665) reveal that no examples of teachers were found in which teachers demonstrated this level. The foregoing findings correlate with Korthagen‘s (2001) findings that teachers do not use much theory in their work. At level reduction, schematized or even theoretical knowledge can become self-evident, and the schema or theory can then be used in a less conscious way. In other words the schema is reduced into one gestalt. For example during teacher education a student may go through a process of change by experiencing in a variety of situations that knowledge transmission is actually not very effective.

A basic principle underlying the three-level model is that all knowledge is originally grounded in personal encounters with concrete situations and influenced by social values, the behaviour of others, implicit perspectives and generative metaphors (Korthagen, 2010:103). The emphasis is on the belief that all knowledge has its roots in practical situations and is socially constructed. The model also builds onto both an individual and a social perspective. The argument being that gestalts cannot be considered in isolation from the social context in which they are evoked. Learning is embedded in the relationships between people.

Korthagen (2010:103) argues that his model has strong implications for teacher education because it points towards the need to take immediate teacher behaviour more seriously and to emphasise the development of adequate gestalts. The explanation is that teaching is to a large degree a gestalt driven activity and that presentation of theory is not sufficient in trying to influence the more perception-driven gestalts. Hence Korthagen (2010) suggests that what is needed is a teacher pedagogy that combines fruitful practical experiences – experiences that help form the type of gestalts the teacher educator wishes to develop – that is, a realistic teacher pedagogy (Korthagen, 2001:82). The major consideration is the kind of experiences that can be organised that would both effectively shape student teachers 'gestalts, and elicit concerns in them that can serve as a good launch pad for joint reflection within a professional community, leading to the development of adequate schemata. Having considered such important theoretical insights about teacher education, it is important at this juncture to consider the context for educator professionalism in South Africa. Practising teacher professionalism is also included as it is important that educators and their students are aware of the situation out there – a situation that should not be divorced from teacher education programmes.

2.4 AN OVERVIEW OF PROFESSIONAL DEVELOPMENT FOR TEACHERS

Publications on PD in the last decade have shed light on effective PD programmes that develop teachers' knowledge and skills, improve teaching practice and raise learners' performance (Desimone *et al* 2006:182; Wanzare & Ward 2000:271). In support of this, Hirsh's study on effective PD reveals three important characteristics of PD learning (Hirsh 2005:43): (1) a deep understanding of specific subject content is a core component of effective PD; (2) the individual beliefs of teachers play an important

role in the development process; and (3) a detailed plan for introducing new content and practices and facilitation of follow-up action is required.

The traditional approaches to PD included workshops, seminars and conferences that adopted a technical and simplistic view of teaching and believed that teachers' knowledge and skills could be improved by using experts from outside the school system (Boyle *et al* 2005:4). They proved not to be very effective because they did not sufficiently change teachers' subject knowledge or pedagogical skills (Mewborn & Huberty 2004:4), which explains why Steyn, (2009:126) and Desimone *et al* (2006:209) suggest that the provision and sponsoring of ineffective PD programmes that do not lead to the improvement of teaching and learning should be discontinued.

More recently, longer-term PD programmes have been designed to assist teachers though direct practical experience to improve student learning (Boyle *et al* 2005:22). PD is most effective when it is a constant, continual process that includes properly planned development and individual follow-up through supportive observation and feedback, educator dialogue and peer coaching (Bolam 2003:103). As such, effective PD programmes include longer contact time, activities sustained over long periods of time, participation of teachers from the same grade, school or subject, active learning opportunities and a focus on subject content (Boyle *et al* 2005:22; Desimone *et al* 2006:182). Since the definition of PD includes a focus on the continuous development of teachers, it may be equated with the concept of CPTD in the National Policy Framework (Department of Education 2007).

The literature reveals a number of aspects that may play a crucial role in the effective implementation of PD. The following major aspects can be identified:

2.4.1 A focus on teachers' needs and their learning: PD programmes should be differentiated to meet teachers' individual needs (Robinson & Carrington 2002:240), since their professional growth occurs when PD programmes acknowledge their needs. A needs-based model for mathematics teachers on site was successfully implemented in Mewborn and Huberty's study (2004:3). Their experiences identified three main criteria for effective PD: (1) PD programmes should be designed for teachers who teach particular grades; (2) PD has to be sustained, contextualised and relevant to teachers' classroom practice; and (3) PD programmes should be "site-based so that the educators' developers understand their students, their curriculum,

and their school structures" (Mewborn & Huberty 2004:2). Needs-based PD is also supported by others who believe that principals could monitor and evaluate teachers and decide what kinds of PD programmes they need, and then guide them in aligning programmes that fit their needs (Desimone et al 2006:206). Desimone et al (2006:205) suggest "scaffolding" PD opportunities by offering programmes targeted at teachers with varying levels of content knowledge and skills. Moreover, teachers prefer programmes that are more practical in nature and aim to meet their specific needs (Robinson & Carrington 2002:239; Somers & Sikorova 2002:108; Tyrell 2000:14). Desimone *et al*, investigation (2006:205) reveals that teachers with more expert content knowledge have more confidence and motivation to further develop their knowledge and skills than teachers with less content knowledge.

2.4.2 The commitment of teachers: A commitment to learning refers to the psychological state in which teachers desire to learn and experiment (Van Eekelen, Vermunt & Boshuizen, 2006:411). Teachers' commitment and positive attitude towards PD are very important for the success of their professional growth (Blackmore 2004:176; Ho-Ming & Ping-Yan 1999:38; Pehkonen & Törner 1999:262). The study by Lam and Pang (2003:90) also illustrates that teachers are more committed to their professional learning if they are more self-confident in terms of their teaching abilities. Furthermore, when teachers do not have ownership of the selection of PD it may not be very effective because of this top-down approach (Desimone *et al* 2006:207; Somers & Sikorova 2002:104). Fortunately, CPTD also expects teachers "to take charge of their self-development by identifying the areas in which they need to grow professionally" (Department of Education 2007:3).

2.4.3 Quality leadership: Quality leadership means that school managers are involved in the learning process and collect evidence that the PD of teachers has taken place (Dymoke & Harrison 2006:80; Mewborn & Huberty 2004:6). This leadership style also involves a commitment to identifying the needs of teachers and appropriate training to meet these needs (Heaney 2004:43; Lee 2005:46). Principals also play a major role in changing the norms, values, beliefs and assumptions of teachers (Lam & Pang 2003:84). Through an encouraging, supportive leadership style, principals can provide individualised support and concern about teachers' feelings and professional needs (Heaney 2004:42; Lee 2005:46; Sparks 2003:43).

2.4.4 The school context: Teachers' learning is affected by variables in the school context that may either enhance or obstruct the professional learning of teachers (Hirsh 2005:43). The Canadian study by Yu, Leithwood and Jantzi (2000:372) included mediating variables such as school culture, teacher collaboration and the school environment which may affect teacher commitment to development and therefore also impact on PD effectiveness. Collaborating teachers utilise strengths and complement each other's knowledge and skills, thereby stimulating reflection and broadening their perspective (Brandt 2003:10; Dymoke & Harrison 2006:78). A collegial culture creates more effective teaching and ownership of teachers' own professional learning (Dymoke & Harrison 2006:80; Boyle et al 2005:4). Furthermore, professional learning is most likely to happen when teachers have opportunities to work with professionals both inside and outside their schools, and have access to the expertise of researchers (Robinson & Carrington 2002:240).

2.4.5 Feedback on teachers' development: In the ongoing approach to PD the importance of feedback to teachers on their development and the impact on learners' performance is widely supported (Lam & Pang 2003:87; Birman, Desimone, Porter & Garet 2000:29; King & Newman 2001:87). Teachers need to know whether they are making progress. Unfortunately, most PD programmes are brief workshops, conferences or courses that do not allow for follow-up sessions (King & Newman 2001:87; Richardson 2003:401).

2.5 TEACHER AS PROFESSIONAL AND TEACHER PROFESSIONALISM

There is a body of evidence of the growing advocacy for teachers to engage in continuous professional development in the efforts to maintain the level of their professionalism. Cardno (2001:151) for example states that professional development for teachers is important to ensure the sustainability and growth of teaching profession. This claim reinforces Boyle, While and Boyle (2004:46) assertion that "the continual deepening of knowledge and skills is an integral part of the professional development of any professional working in any profession".

The relationship that is established between teachers' professional development and teacher professionalism has shaped this literature review to the discussion of teaching as a profession. Day (2001:681) defines the term 'profession' as "an occupation which requires long training involving theory as background to practice, has its own code of

behaviour and has high degree of autonomy". Paramount to this definition is the emphasis on the significance of learning the theories of teaching to inform teachers' teaching practice. Day's (2001) definition of the term 'profession' also implies that for teaching to be considered as a profession, it is mandatory that teachers are offered continuous learning opportunities that expose them to the theories of education to develop their practice.

As emphasised earlier by Day (2001), professional development for teachers needs to be strongly grounded to the theory. Goodson (1997:30) supports this statement by explaining that "at its best, theory works back to informed and improved practice". He also cautions that separation of the theoretical knowledge from practice will affect the idea of teaching as a profession, which "is based on a set of research expertise and theoretical bodies of knowledge" (Goodson, 1997, p. 32). The strength of teachers' professional development that embodied the theories of teaching and learning is evident in the Best Evidence Synthesis (BES). Timperley, Wilson, Barrar and Fung (2007:13) report that from the six studies on teachers' professional learning examined in the Best Evidence Synthesis (BES), the three studies of teacher professional learning that recorded the lower outcomes for its learners are the ones identified as having the least emphasis on theories. This finding further supports the argument that theory oriented approach is essential to teachers' professional development for it to have some impact on teaching practice.

In addition to having a strong focus on the theory aspect of professional development, the definition of the term 'profession' as offered by Day (2001) also implies that for teaching to be considered as a profession and teachers as professional, it is fundamental for the teachers to continuously experience professional development throughout their career. This is further explained by Kwakman (2003:153) who says:

Keeping up is a core responsibility of professionals, as the professional knowledge base underlying professional work does rely on the input of new information since it is subject to continuous improvement. The main aim of reading is keeping up to date with new insights and developments influencing the professional field such as new subject matter, new teaching methods and manuals, new pedagogical approaches, but also new societal developments which have an impact on education and teaching in general.

Bredeson, (2002:664), however points out that continuous learning opportunities for teachers to enrich and refine their professional knowledge and practice is often undermined by the lack of time, money, and appropriate structures. In addition to understanding the relationship between professional development and the notion of teachers as professionals, the literature review also reveals that some authors choose to shape their discussion of teaching as a profession by first looking at the term ‘professionalism’. Defining the term professionalism in the manner that best describes the work that teachers do prove to be a challenging task as the literature appears to be divided in the approaches used.

Hargreaves (2000:179) for example has established the link between professional development and teacher professionalism by looking at the different phases of teachers’ professionalism. He asserts that the idea of 'professionalism' refers to the quality of teaching and the conduct, demeanour and the standards that guide it. In addition, Hargreaves (2000) argues that the idea of teacher professionalism has evolved in the past years due to the changes that are constantly taking place in the world's education system. He further elaborates that there has been four historical phases of teacher professionalism identified over the years; the pre-professional age, the age of autonomous professional, the age of collegial professional and finally, the post-professional or postmodern.

Consequently, the force of change affecting teacher professionalisms is also identified to be affecting the nature of teachers' professional development.

Hargreaves (2000) notes that during the phase of the ‘professional autonomy’, the nature of teaching is often described as working in isolation. It is common during that phase of time for teachers to work alone in their classroom with minimal interaction with their colleagues (Hargreaves, 2000). Hence, their professional development experiences come in the form of workshops and courses that are delivered away from the classroom and school by outside experts, and received by teachers as individuals. However, these teachers were not able to integrate what they had learned into their practice when they returned to workplaces as they did not understand or received support to apply the new knowledge and skills in their classrooms (Little, 1993 as cited in Hargreaves, 2000).

In their quest to improve the nations' economic competitiveness, the governments become preoccupied with the effort to increase the standard of education received by the students. This increased expectation in the quality of education sees more teachers facing the prospect of having to teach in ways they had not been taught themselves (McLaughlin, 1997:81). Hargreaves (2000) explains that for this reason, "many teachers are starting to turn more to each other for professional learning, for a sense of direction, and for mutual support" (p.162). Consequently, this has caused the shift in the nature of teaching from working alone in the isolation of their classroom to working in collaboration with their colleagues. This collegial relationship also changed the form of teachers' professional development. Instead of having off-site workshop for individual teachers, recent professional development programmes are designed to be more collaborative in nature.

To sum up, the literature base reviewed has established that teaching is a profession and as professionals, teachers need to be provided with sufficient amount of professional development so that there are able to maintain their level of professionalism.

2.6 THE CHANGING PRADIGM OF PROFESSIONAL DEVELOPMENT

In general, teachers' professional development falls under two categories: the traditional and the 'reform-type' professional development (Birman, Desimone, Porter, & Garet, 2000:31). The traditional approach of teachers' professional development often assumed that there is a deficit or a gap in teachers' knowledge and skills which can easily be developed in ‘‘one-shot’’ workshops (Clarke & Hollingsworth, 2002:951). In addition to the workshop approach, traditional form of teachers' professional development also comes in the forms of within district workshop or training, out of district workshop or training and also formal postgraduate courses (Desimone *et al*., 2002). Although the traditional approach of teachers' professional development helps to foster teachers' awareness or interest in deepening their knowledge and skills, is believed that this approach alone is insufficient to foster learning which fundamentally alters teaching practice (Boyle *et al*., 2004).

Moreover, the traditional form of teachers' professional development is also criticised as being shallow and fragmented (Hawley & Valli, 1999:135). This is echoed by Ball and Cohen (1999) who describe the in-service workshops as "intellectually superficial,

disconnected from deep issues of curriculum and learning, fragmented, and noncumulative" (p.4). The authors further explain teachers' professional learning is often shallow and fragmented because teaching is perceived as mostly common sense and has little need for professional learning. In addition, it is also perceived that teachers do not required sustained learning to perform their work (Ball & Cohen, 1999).

The alternative to the traditional model of teachers' professional development is the 'reform-type' or else known as the 'growth' model of professional development (Huberman & Guskey, 1995). The authors describe this model as "a variety of professional development activities that accompany continuous inquiry into one's instructional practice" (p. 270). This paradigm shift from the traditional model to reform-type sees that professional development for teachers is changing "from replication to reflection, from learning separately to learning together, and from centralization to decentralization" (Smylie & Conyers, 1991 as cited in Hawley & Valli, 1999).

Advocates of the reform-type model also believe that professional development for teachers is most effective when it is done within their working context. Sparks and Hirsh (1997) for example argue that it is imperative for teachers' professional development to be treated as multiple forms of job-embedded learning for meaningful changes to occur in teaching practice. Wilson and Berne (1999:180) suggest that:

some learning, no doubt, goes on in the interstices of the workday, in conversations with colleagues, passing glimpses of another teacher's classroom on the way to the photocopying machine, tips swapped in the coffee lounge, not to mention the daily experience of the classroom (p. 174).

The school is said to be the most suitable place for teachers to develop professionally as new teaching competencies can only be acquired in practice (Kwakman, 2003:155). However, despite the advocacy for teachers' professional development to be centred in practice, Ball and Cohen (1999:14) argue that it "does not necessarily imply situations in classrooms in real time" Instead, they suggest that better learning opportunities for teachers can be created through strategic documentation of practice. The authors recommend among others the collection of "concrete records and artifacts of teaching and learning that teachers could use as the curriculum for professional inquiries" (p. 20).

2.7 THE IMPACT ON TEACHING PRACTICE

Based on their research on teachers' perceptions of the impact of continuous professional development, Powell, Terrell, Furey and Scott-Evans (2003:399) choose to define the word 'impact' as "changes in professional knowledge, practices and affective response as perceived by the individual practitioner". They argue that to measure impact, it does not necessarily have to rely only on quantifiable data. Instead, they propose that the impact of professional development on teaching practice can also be assessed from the teachers' insight and reflection of "what constitute significance and value in relation to their own personal, academic and professional needs and development" (p. 399).

Gabriel *et al*. (2011) observe that teachers in general believe that certain professional development programmes they attended have significant impact on their development as teachers. Several authors (Dean, 1991:17; Guskey, 2000:388) for example, describe teachers' professional development as a process which is aimed primarily at promoting learning and development of teachers' professional knowledge, skills and attitudes.

2.7.1 Cognitive and affective impact of professional development

Participation in professional development is believed to have some impact on the teachers' ability to acquire and critically develop the knowledge, skills and emotional intelligence essential to good professional thinking, planning and practice with their students and colleagues through every phase of their teaching lives (Borko, 2004:10; Buczynski & Hansen, 2010:601; Day, 1999:21; Gabriel *et al.,* 2011:38; Poskitt, 2005:142). In addition, Desimone (2009:194) asserts that professional development also impacts on the teachers' ability to decide on and implement valued changes in teaching and leadership behaviour so that they can educate their students more effectively, thus achieving an agreed balance between individual, school and national needs (Bolam, 2002:43; Hargreaves & Evans, 1997:14).

2.7.2 Immediate and long-term impact of professional development

According to Powell, Terrell, Furey and Scott-Evans (2003:391), teachers will experience immediate and long-term impacts of professional development. Their research on teachers' perceptions of the impact of continuous development reveals

that most of the teachers identified the immediate impact of professional development as having the ability to reflect more deeply on their practice (Powell *et al*., 2003). It is believed that this ability to reflect has enabled the teachers to better evaluate the effectiveness of their own practice. Similar findings are also reported by Harris, Cale and Musson (2010:398) who conducted research on primary teachers' perceptions of physical education. They state that almost all of the teachers involved in their research report immediate positive impact on their perceptions of physical education as the result of professional development experienced.

In the long-term, teachers also believe that their professional development experiences have helped them developed greater confidence with their practice (Buczynski & Hansen, 2010; Powell *et al.,* 2003). Likewise, Harris *et al*. (2010) also reveal that most of the teachers involved in their research perceived their professional development experience as having positive impact on their confidence in teaching. This also reinforces Hustler *et al.* (2003) assertion that most teachers are satisfied with their professional development experiences.

In light of this finding, Powell *et a*l. (2003) maintains that teachers' growing confidence is evident in their ability to clearly articulate their personal views on educational matters. Professional development programmes also help teachers to become more knowledgeable in the subject content taught. In addition, reflective practice and constant evaluation of their teaching practice are also believed to lead to a better lesson structure to effectively meet the students' needs (Harris *et al*., 2011; Powell *et al.*, 2003).

2.8 EFFECTIVE PROFESSIONAL DEVELOPMENT

A review of the international literature base reveals plethora of research that focused on the examination of the features of some of the best practices in relation to teachers' professional development (Garet *et al*., 2001:917; Hawley & Valli, 2007:126, Wilson & Berne, 1999:12). Desimone (2009:191) for example points out the fact that there is a growing consensus on the features of professional development that are believed to result in the changes in teacher knowledge and practice and possibly students' achievement. She later proposes that these common features of effective professional development are measured to assess the effectiveness of any professional

development programmes, no matter what types of activity they include, (Desimone, 2019:190).

2.8.1 Features of effective professional development

2.8.1.1 Content focus

There is a widespread agreement among scholars for teachers' professional development to be largely viewed as knowledge and skills development (Desimone *et al*., 2002:105; Garet *et al*., 2001:911; Timperley *et al*. 2007:14). The literature reviewed exhibits a strong advocacy for teachers' professional development to be understood as opportunities for learning (Fishman *et al*., 2003:651). Professional development for teachers needs to give them the opportunities to learn from their own practice by way of self-reflection in addition to preparing them for their new roles and responsibility (Garrett and Bowles, 1997:35). Fishman *et al*. (2003:652) further add that teachers' professional development needs to focus on the enhancement of their professional knowledge, beliefs and attitudes so that they will be able to improve their student learning. This reinforces Hargreaves and Goodson (1996:54) earlier statement that professional learning for teachers will enrich their knowledge base, improve their teaching practice, and enhance their self-efficacy and commitment to quality service.

In general, the content focus of any teachers' professional development falls into two categories. Fishman *et al*. (2003) explain that the first category of content focus refers to the knowledge related to general teaching work such as assessments, classrooms organisation and management and teaching strategies while the second category refers to the subject content itself. Assessment is a major component of all the core studies covered in BES as through their assessment skills teachers can judge the impact of their changed practice on student learning (Timperley *et al*., 2007). The authors explain teachers' sound assessment skills make it possible for them to make ongoing adjustment to their teaching practice so that it can be more effective.

Consequently, knowledge content has become the most significant component of any form of teachers' professional development programme. Borko (2004) argues that having a strong emphasis on knowledge content is critical to the success of any professional development experienced by teachers. This is because participation in professional development programmes is believed to allow teachers the opportunities to renew their knowledge base while at the same time introducing new knowledge and

skills into their repertoire to continuously improve their conceptual and teaching practice (Borko, 2004; Grundy & Robison, 2004). Furthermore, Borko (2004) argue that it is important for teachers to have “rich and flexible knowledge for the subject” (p.5) to foster students' conceptual understanding.

2.8.1.2 Active learning

Numerous researches conducted to study the forms of high-quality teachers’ professional development conclude that reform-type professional development is more effective in changing teaching practice (Hawley & Valli, 1999:140; Helmer *et al.,* 2011:190). The traditional form of teachers' professional development is critised for not being conducive enough to foster meaningful changes to their teaching practice (Birman *et al*., 2000:30; Desimone, 2009:192; Kwakman, 2003:164). This happens as the activities designed do not provide teachers with ample opportunities to engage in active learning which is believed to be a crucial factor in sustaining the changes made to their teaching practice (Fullan & Mascall, 2000:43). This assertion is supported by several other authors’ suggestion that professional development for teachers need to provide them the opportunities to become active learners (Harris *et al*., 2011:294; Sparks & Hirsh, 1997:13; Villegas-Reimers, 2003:4).

Birman *et al*. (2000:31) explain that professional development that incorporates active learning for teachers also:

includes opportunities to observe and be observed teaching; to plan classroom implementation, such as practicing in simulated conditions, and developing lesson plans; to review student works; and to present, lead and write – for example, present a demonstration, lead a discussion or write a report (p. 31).

These various forms of strategies linked to active learning are said to be most effective in changing teaching practice. Southworth (2004:19) who researched on primary school leadership in the context of small, medium and large sized schools asserts that modelling, monitoring and professional dialogue and discussion as the strategies identified to have the most effect in changing teaching practice. In addition, Guskey (2000:389) argues that professional development for teachers needs to provide them the opportunity to get regular feedbacks on the changes made to their teaching practice. This approach is believed to be able to change teaching practice compared

to professional development programmes conducted in the forms of large group presentations, training programmes, workshops and seminars (Guskey, 2000:390).

2.8.1.3 Collective participation

Reform-type professional development for teachers is also believed to be more effective than the traditional model as it focuses on collective participation. Collective participation refers to the participation of teachers from the same department, subject or grade in the same professional development programme. Birman *et al*. (2000:33) assert that collective participation in professional development is more likely to afford opportunities for active learning and are more likely to be coherent with the teachers' other experiences. Moreover, teachers' professional development that involves collective participation, especially for teachers in the same school is believed to be able to sustain the changes made to their teaching practice. This is because they are more likely to have more opportunity to discuss the concepts, skills and problems arise during their professional development experiences (Garet, Porter, Desimone, Birman, & Kwang Suk, 2001:473).

In other words, collective participation in teachers' professional development programmes also engendered collaboration among the teachers. Hargreaves (1994:23) for example discusses the use of collaboration as one of the ways for teachers to improve their teaching practice. One of the advantages of collaboration is that it increases the capacity for reflection (Hargreaves, 1994:22) which is argued to be a critical point to teachers' professional learning experience. Collective participation in professional development also gives teachers more opportunities to learn from each other's practice. Kwakman (2003:165) says that feedback, new information or ideas do not only spring from individual learning, but to a large extent also from dialogue and interaction with other people. This reinforces Hargreaves (1994:154) earlier assertion that collaboration can be “a powerful source of professional learning: a means of getting better at the job”.

In addition, collaboration in school also increases efficiency as it “... eliminates duplication and removes redundancy between teachers and subjects as activities are co-ordinated and responsibilities are shared in complementary ways” (Hargreaves, 1999:151). As this happens, teachers can allocate more of their time and effort on the preparation of their lesson which will improve the quality of teachers' teaching

(Hargreaves, 1994). Consequently, collaboration that exists in school provides teacher with moral support (Hargreaves, 1994) as it allows teachers the opportunities to work with their colleagues instead of having to handle the frustration and failure alone.

2.8.1.4 Duration

Professional development activities that are designed based on the reform type are believed to be more effective compared to the activities of the more traditional approaches because of its longer duration. Duration refers to the contact hour spent in a particular professional development activity and also the time span or period of time over which the activity was spread (Garet *et al*., 2001). Similarly, Birman *et al*. (2000) argued that "the activities of longer duration have more subject-area content focus, more opportunities for active learning, and more coherence with teachers' other experiences than do shorter activities" (p. 29). This is further reinforced by Garet *et al*. (2001) assertion that longer professional development activities also more likely to provide opportunities for in-depth discussion of the content, student conception and misconception and pedagogical strategies to take place among its participants. The authors also suggest that activities that extend over time are more likely to allow teachers more time to try out new practices in the classroom and obtain feedback on their teaching (Garet *et al*., 2001).

2.8.1.5 Coherence

Finally, reform type professional development is believed to incorporate the element of 'coherence' in its design. The literature highlighted three dimensions of coherence in teachers' professional development: 1) the alignment between the professional development activity and teacher's goals for professional development, 2) the alignment between the professional development activity with the state or district standards and curriculum frameworks and with state and district assessments, 3) the ongoing professional communication with other teachers who are also trying to change their practice (Desimone *et al*., 2002; Garet *et al*., 2001). This reinforces Day's (1999) earlier assertion for the personal and institutional professional development approaches to be synchronised to maximise the opportunities for change and development in schools.

In addition, Ozkal, Tekkaya, Cakiroglu, and Sungur, (2008:75) also assert that teachers need to construct their own knowledge by anchoring new information

obtained to pre-existing knowledge This assertion supports Borko and Putnam (1996:643) earlier statement that the active learning process as emphasised by the constructivist approach is “heavily influenced by an individual’s existing knowledge and beliefs and is situated in particular contexts’”. Similarly, Kwakman (2003:166) believes that professional development for teachers needs to allow teachers the opportunities not only to construct their own knowledge but also to direct their own learning.

Despite the suggestions for teachers’ professional development to encapsulate the features of high-quality professional development, Wayne, Yoon, Zhu, Cronen and Garet (2008:470) argue that this consensus “lacks sufficient specificity to guide practice”. These authors (Wayne, *et al*, (2008) also raise some issues related to the practicality of some of the elements of teachers’ professional development best practices. They in particular highlight the issue of the cost to provide teachers with more professional development as opposed to having the ‘one shot’ workshop. Wayne *et al*. (2008) argue that it is more expensive to provide teachers with professional development that is catered to their personal needs. In addition, the suggestion for teachers’ professional development to extent over a longer period of time is believed to result to teachers leaving their classroom more often and hence causing more disruption to the students’ learning (Wayne *et al*., 2008).

The common features of effective teachers’ professional development as highlighted in the work of several key authors discussed earlier will be used to investigate the participants’ responses in relation to the role of SACE in the professional development of teachers.

2.9 EDUCATIONAL CHANGE

2.9.1 Understanding change

A review of the literature on teachers' professional development reveals that the field of education is constantly undergoing change. Bolman and Deal (2008:378) describe change as “a complex systemic undertaking”. Due to the complexity of change, Duke (2004:16) has attempted to define 'change' based on several distinctions he has made. First, the word 'change' is defined as “a different or departure from the status quo” (Duke, 2004:16). There are two types of changes taking place in the context of education; branch changes and root changes. 'Branch changes' or otherwise known

as the ‘first-order’ change refer to “significant, yet specific changes of practice which teachers can adopt, adapt, resist or circumvent, as they arise” (Hargreaves & Hopkins, 1991 as cited in Hargreaves, 1994: 6).

Root changes or the ‘second-order’ change on the other hand is defined as “deeper transformations at the very root of teachers' work which address and affect how teaching itself is defined and socially organized” (Hargreaves, 1994:6). This type of change is more difficult to achieve as it involves the alteration of the deep underlying assumptions of the system (Duke, 2004). Borko and Putnam (1995) note that almost all reform efforts are calling for some form of changes in the education system that help students achieve higher standard of learning. For this reason, Hawley and Valli (1999) argue that professional development for teachers has become increasingly more important than before. This is further supported by Sykes (1999:141) who state that professional development has become the centrepiece for promoting change.

The impetus of teachers’ professional development as a crucial element to education reforms has caused many schools to eagerly participate in all the professional development programmes made available to them. Cardno (2005:295) believes that this realisation of the relationship between of teachers’ professional development to successful reform as one of the reasons teachers experienced professional development overload. She elaborates by saying:

As a consequence many schools, concerned that they will miss out if they do not register to participate, have chosen to involve teachers in too much professional development resulting in overload and disenchantment with what should be a positive and rewarding experience (p. 295)

Guskey (1995:119) however cautions that “there is no easier way to sabotage change efforts than to take on too much at one time. Guskey, (1995) suggests that schools start off by making small changes and to treat it as part of a more comprehensive change process. Hargreaves and Fink (2006:3) has succinctly described educational change as “easy to propose, hard to implement and extraordinarily difficult to sustain.

2.9.2 The process of teacher change

Clarke and Hollingsworth (2002:960) explain that the concept of teacher change can be understood from various points of views. The authors argue that the traditional view

of understanding teacher change as a training session has been proven to be ineffective in changing teaching practice. They reason that this happens because the professional development programmes arranged for teachers from the perspective of teacher change as training have often failed to consider the processes that occur in teacher change (Clarke & Hollingsworth, 2002:962; Guskey, 2002:384). Hence, this argument suggests that teachers require more than a day in the workshop for a sustained change in teaching practice to occur (Timperley *et al*., 2007:11). This is further supported by Helmer Bartlett, Wolgemuth and Lea, (2011:206) who assert that one shot workshop as ineffective at yielding teacher change.

Moreover, Clarke and Hollingsworth (2002:952) highlight that most of the teachers' professional development activities that failed have focused on initiating change in teachers' attitudes, beliefs, and perceptions. These changes in the teachers' attitudes and beliefs are then assumed to lead to specific changes in their classroom behaviours and practices, which in turn will result in improved student learning. In contrast, Guskey (2002) argues that teachers' attitude and belief will only change when they are convinced that their student learning outcomes have improved as the result of the changes made to their teaching practice. Similarly, Desimone's (2009) core conceptual framework for studying the effects of professional development on teachers and students proposes that a high quality professional development will induce changes to teachers' attitudes and beliefs before changes to teaching practice can take place which will then lead to improved student learning. The work of these two authors support the argument forwarded by Hargreaves (1994) who says "change is a process; not an event; that practice changes before beliefs" (p.10). This statement also proves that 'deep change' will only occur when the 'first-order change' has been successfully achieved.

Interestingly, the view of understanding teacher change as a linear process as demonstrated by Guskey (2002) and Desimone (2009) is challenged by several other authors. Huberman (1995:12), for example, suggests that teacher change is a cyclical process. This belief is reiterated by Clarke and Hollingsworth (2002:953) and Opfer, Pedder and Lavicza, (2010:446) who argue that there is a reciprocal causative relationship that exists between teacher beliefs, learning and changes in practice. Opfer *et al*, (2010) further explain that "change is driven by personal beliefs, interest, motivations and social/historical contexts and processes rather than solely through

rational and logical accumulation of knowledge and skills via participation in a learning activity" (p. 446). Based on the finding of their research, Opfer *et al*. (2010) conclude that teacher change is not a sequential process as suggested by other authors.

Teachers are unlikely to change their belief immediately as the result of the professional development programme they have attended. According to Hawley and Valli (1999), teachers need more time and opportunities to investigate why some practices might be better than others. This belief is echoed by Poskitt (2005) who also highlights the importance of time. She explains that "teachers wanted time to trial, reflect and improve their practice, understanding of it and their teaching programmes. Time is needed for teachers to personalise information before they can change their ideas or behaviour" (p. 145).

Moreover, Fullan (2001a:44) explains that "changes in beliefs are even more difficult: they challenge the core values held by individuals regarding the purpose of education; moreover beliefs are often not explicit, discussed or understood, but rather are buried at the level of unstated assumptions". This is reiterated by Guskey (2002) who argues that teachers' attitudes and beliefs are not changed by the professional development attended. Instead, he believes that it is the experience of successful implementation that changes the teachers' attitudes and beliefs. Guskey (2002) explains that this happens as "they believe it works because they have seen it work and that experience shapes their attitudes and beliefs" (p.383). Furthermore, Fullan and Mascall (2000) recommend that the impact of changes to student outcomes is demonstrated as it also contributes to the sustainability of the changes in teaching practice.

2.9.3 The process involved in changing teaching practice

There has been little research done on the processes involved in changing teaching practice (Timperley *et al*., 2007). Despite the lack of research on the topic, a research by Borko and Putnam (1995) offers evidence to support the suggestion that a relationship exists between professional development and changing teaching practice. The authors suggest that for teachers to change their teaching practice they would need to expand and elaborate their knowledge systems (Borko & Putnam, 1995) and this can be achieved through participation in professional development programmes. This statement further strengthens the arguments that effective professional development for teachers has to encompass the theories of curriculum, effective

teaching, and assessment developed alongside their applications to practice (Timperley, 2008).

Kwakman (2003) says that “change in teaching practice always affects pre-existing knowledge and beliefs as new knowledge and beliefs about teaching, learning, learners, and subject-matter have to be acquired” (p.150). Because of this, the author also asserts that “teachers must be supported to acquire this new knowledge and beliefs, whereas specific attention has to be paid to support for changing their existing knowledge and beliefs in different domains” (p. 150). Hence, Kwankman (2003) recommends that for changes to occur in teaching practice, a teachers’ professional development needs to be facilitated by creating favourable learning environments in which the teachers can be responsible for their own learning.

The literature also suggests that teaching practice will only change when teachers have developed full understanding of the new information acquired (Timperley et al., 2007). Because of this, Timperley (2008) recommends that teachers are given enough opportunities for them to absorb new practices and implement it in their classroom. Timperley and Alton-Lee (2008) explain the way teachers interpret and use the recently acquired knowledge and skill as a complex process. Poskitt (2005) adds that “because teachers need time to experiment and work through a process of mutual adaptation to personalise a new innovative strategy, support during this time of adjustment is important in order to integrate the new knowledge and skills into classroom practice” (p. 146). The statement made by these key authors (Poskitt, 2005; Timperley, 2008; Timperley & Alton-Lee, 2008) was used as one of the interview questions to investigate the factors that influenced teachers’ perceptions of effective professional development.

Timperly *et al.* (2007) however argue that the synthesis of the research does not identify a particular activity as being more effective than the others despite the evidence gathered from the literature base reviewed of some authors (Garet *et al*., 2001; Sparks & Hirsh, 1997) advocacy for a particular approach as being able to further enhance teachers' understanding of the new knowledge acquired. Poskitt (2005) for example believes that acquisition of knowledge and skills base are better gained through active ongoing professional learning, through experience in and reflection on classroom-based practice, deepening theoretical and practical content

and pedagogical knowledge, and involvement in professional communities of learning where teachers engage in meaningful dialogue.

Similarly, other authors also believe that collegial communities (Timperly, 2008) or the professional learning communities (Desimone *et al*., 2003; Desimone, 2009; Garet et al., 2001) can enhance teacher's understanding. Hawley and Valli (1999) assert that knowledge and skills of education can be increased substantially through collegial opportunities to solve authentic problems that create the gap between student performance and expectations. A professional learning community provides teachers the opportunities to work collaboratively with each other, where they share their passion and purpose for their work, or else the professional development will be short-lived (Fullan & Mascall, 2000). Collaborative relationship that exists provides teachers the opportunities to discuss their practices with each other and this is believed to have some effect on teaching practice. This supports Guskey (1995) earlier assertion that teachers need to receive regular feedback on the efforts made to improve their teaching practice so that those changes can be sustained. This is reiterated by Timperley (2007) who says “frequent contact is important in sustaining the change process” (p. 139).

In addition, Hawley and Valli (1999) recommend that to sustain changes to teaching practice, teachers’ professional development need to be “continuous and ongoing, involving follow-up and support for further learning, including support from sources external to the school that can provide necessary resources and an outside perspective” (p. 141). Helmer *et al*. (2011) succinctly sum that:

Overall, instructional principles espoused in the contemporary approaches to professional development highlight the importance of an ongoing approach that: is embedded in teaching practice; is organized around collaborative problem solving; involves reflection and feedback; is followed up with support from a range of experts (p. 198).

The effectiveness of a teachers' professional development experience is assessed on its impact on teaching practice. How effective is the professional development experienced by the teachers in changing their practice? And what are the steps involved to sustain changes made to teaching practice?

2.10 TEACHER MOTIVATION TO CHANGE

2.10.1 *Teacher beliefs*

Teachers' perception of the impact of professional development that they have experienced may be influenced by their beliefs (Borko 2000). According to Opfer, *et al*. (2010), 'teacher belief' in relation to professional development involves "those general understandings related to learning that a teacher holds to be true" (p. 444). This reinforces Fives and Buehl (2008) earlier statement that:

In learning contexts, early entrant teachers and practicing teachers may be guided by their beliefs about teaching knowledge and ability. Such beliefs may lead them to question the value of information presented; make epistemic assumptions about the nature of teaching knowledge; question the validity of knowledge content; and support their views on teaching and the need for teacher education (p. 135).

Because of this, it is imperative that the notion of teacher beliefs is explored. This is supported by Fives and Buehl (2008) who argue that "understanding these beliefs in the context of learning to teach and their relation to other important outcomes (e.g., classroom practices, student achievement) can inform the development of learning experiences tailored to the needs of future and practicing teachers" (p. 135). This implies that teachers will attach a high priority to practice knowledge and skills that confirm to their own belief (Opfer *et al*., 2010).

2.10.2 *Capacity belief*

The second factor that affects teachers' motivation to change is their capacity belief. Leithwood, Jantzi and Steinbach (2003:139) explain that "perceived capacity or self-efficacy increases the intrinsic value of effort and contributes to the possibilities for a sense of collective capability or efficacy on the part of a group, as well". Self-efficacy refers to a person's belief of his or her capabilities to successfully perform a task or responsibility to the level expected. The literature also suggests that teachers perceived self-efficacy determines their behaviour and their level motivation towards the accomplishment of school goals (Tschannen-Moran & Hoy, 2007:234). Hence, it is important that the factors which increased teachers' perception of capacity or self-efficacy are examined.

Leithwood, *et al*. (1999) identify teachers' actual performance or 'mastery experiences' (Tschannen-Moran & Hoy, 2007), vicarious experience provides by role model and verbal persuasion from others as among the factors that affect teachers' perception of their self-efficacy. From this, it is evident that school leaders need to pay more attention on providing teachers with the proper working climate to maintain their positive self-efficacy. This also supports the argument for collaborative relationship among teachers as it allows teachers the opportunities to provide positive feedbacks to their colleagues concerning their teaching practices (Guskey, 2002; Tschannen-Moran & Hoy, 2007). Strong self-efficacy also helps teachers to believe that they are capable of accomplishing the goals set.

In the context of teachers' professional development, Opfer *et al*. (2010) identify the intersection between teacher beliefs and practice as the catalyst for professional learning. Wheatley (2002:15) suggests that discord between personal expectation and sense of self-efficacy may open up the possibility for teacher learning to occur.

2.10.3 *Context belief*

The third factor is context beliefs. This refers to the manner in which a change process is handled. Teachers' perception of any new initiative introduced in school is very much shaped by their past experiences dealing with other initiatives of a similar nature. Experiences with ill-managed change process will adversely affect their perception of the current initiative thus reducing their motivation to implement it (Guskey, 2002; Leithwood *et al*., 1999).

There are several conditions that give rise to positive context belief. Leithwood *et al*. (1999) identify teachers' perception of the congruence between their personal and school goals and also their perception of the presence of support (structural, human resource, financial and positive climate) that will help with the accomplishment of the goals. This suggests that teachers need to be convinced that the change initiative introduced can be usefully implemented at school level and the evidence to this need to be made available through a clear communication process.

In general, teachers' motivation and commitment to professional development are influenced by the three factors discussed earlier. The most important factor that affects teachers' motivation and commitment to undergo professional development programmes is the integration of their personal goals and school goals. This gives

teachers the more reasons to continuously seek opportunities to improve their practice. If the teachers perceived that the professional development programmes serve them no purpose, this will result to resistance.

Teachers are also motivated to participate in professional development programmes when they believe a gap exists in their practice. This claim emphasises the need for high expectation but achievable goals so that it does not only affect teacher motivation level but also maintain their positive self-efficacy. Finally, teachers need to be convinced that they will be able to practice the new knowledge and skills they have learned from attending the professional development programmes in their classroom. This can be achieved by providing teachers the learning culture that provides working conditions that values collaboration and constructive feedbacks.

The effectiveness of teachers' professional development is also determined by the teachers' own belief and their motivation and commitment level to improve their practice. With this understanding, the impact of teachers' professional development will be explored from the teachers' perspective.

Professional development for teachers is essential to maintain the level of professionalism so that teachers are able to keep up with the changes in demand and expectation held by the nation and society in regard of the quality of education received by school children. Professional development for teachers is believed to be more effective in creating sustained change to teaching practice when it is designed to accommodate to the learning needs of the students as well as the teachers.

2.11 SUMMARY

Professional development for teachers is essential to maintain the level of professionalism so that teachers are able to keep up with the changes in demand and expectation held by the nation and society in regard of the quality of education received by school children. Professional development for early entrant teachers is believed to be more effective in creating sustained change to teaching practice when it is designed to accommodate to the learning needs of the learners as well as the teachers. To achieve this, attention needs to be given to the processes of teacher change and other factors that enhance such change. Hence, several themes that emerged from the literature base review such as the impact of teachers' professional

development, features of effective professional development and factors that influenced teachers' perception will shape the design of this research study.

CHAPTER THREE

UNDERLYING CAUSES OF UNPROFESSIONAL CONDUCT AND TEACHER UNIONISM

3.1 INTRODUCTION

For this study to be effective, it has been of utmost importance that it examines some factors that may well be the underlying causes for educators' unprofessional conduct. There is overwhelming evidence from scholarly research and education stakeholders in the previous chapter that South African education system is ailing (Taylor, 2006:8, Jansen, 2004:52, Lorimer, 2010:12, Bloch, 2009:103 and Manuel, 2011b:2). In the same chapter, unionism is cited by Boyd at al. (1988:1), Malala (2007:9), Khoabane, (2010:2) and the HSRC (2007:4) as largely contributory to unprofessional conduct and misconduct. The study will now focus on the following areas:

- Teacher unionism;
- Lack of discipline and self-respect;
- Poor education management.

It is necessary that the study provide a brief summary of the above factors, each of which can be regarded as crucial issues generally serving as barriers to delivery of quality education and contributing to educator unprofessionalism in South Africa.

3.2 TRADE UNIONISM IN EDUCATION

It is interesting to note that trade unionism has become a phenomenon in education just like in any other industry (Proebstl, 2007:20). Teacher unions in South Africa have become very strong organisations, with the South African Democratic Teachers' Union (SADTU) having registered the majority of educators as members. The South African Democratic Teachers' Union is sheltered under the umbrella of the Congress of South African Trade Unions (COSATU) (Kriel, 1995:30). Trade unionism is generally viewed by many stakeholders in education as the main underlying cause of educators' unprofessional conduct and also as a drawback to the efforts to professionalise education in South Africa (Jansen, 2008:14). According to Govender (2004:269), quality learner attainment will remain an unrealistic dream of the Department of Basic Education (as it is currently known) if union activities are not regulated properly.

Govender (2004:269) pursues her argument by asserting that during this post-apartheid era, teacher unions have to change their strategies and begin to address issues of school productivity and efficiency. Torres et al. (in Govender, 2004:269) add that mechanisms for performance management, discipline and dealing with incompetence must be employed.

In an attempt to facilitate understanding, this study has conceptualised unionism by examining the different factors below:

- Historical overview of trade unionism in South Africa;
- Definition and characteristics of trade unionism;
- Aims and objectives of organised labour;
- The development of labour relations in South Africa;
- The political edge to the activities of teacher unions;
- Debates relating to educators as professionals or workers;
- Union mechanisms and professional adjustment;
- Educators' status;
- Teacher unions and critics;
- The effect of current political climate on teacher unionism in South Africa.

The factors listed above are significant in the sense that they influence the manner in which teacher unions operate, how schools function and how educators conduct themselves. They also have a determining effect on the progress of the professionalisation of education. Even though, according to Bloch (2009:106), the education authorities in the higher echelons are silent about "this worm" that is gradually eating up the moral fibre of the education profession, unionism has had adverse effects on education. Even though it may have entered the education arena for some very plausible reasons during the 1980's, its perpetual radical stance has eroded the professional status of educators (Bloch, 2009:106). Union office bearers are so confused about the professional status of educators that they admit that morals are not what they would term 'politically effective' or 'acceptable' (Urban, 2008:8). Below are discussions pertaining to each of the above factors.\

3.2.1 Historical overview of trade unionism in South Africa

Unionism is the principle of forming a union, especially a trade union (www.thefreedictionary.com/unionism). According to Rossouw (2010:1), even before the implementation of the Constitution of the Republic of South Africa in 1996, labour legislation in South Africa could be found in a number of different acts. The Labour Relations Act, that is the current labour law which regulates labour relations, was enacted in 1995. After the transition into the new political system, it became necessary for labour laws to be rewritten in order to comply with the human rights culture (Rossouw 2010:1). This subsequently led to certain agents of the state to be established in terms of such labour laws, such as the Department of Labour; the Commission for Conciliation, Mediation and Arbitration (CCMA) and the labour court. These, Rossouw (2010:1) confirms, help ensure that labour relations develop progressively and positively within the parameters of labour legislation.

The background to the current major teacher unions is viewed as an important inclusion within this research study since unionism in education forms part of the major focus of the study.

3.2.1.1 The South African Democratic Teachers' union

According to the website of the South African Democratic Teachers' Union (SADTU) (www.sadtu.org.za), the Congress of South African Trade Unions (COSATU) came about as the brainchild of educators who attended a conference in Harare in April 1988. Despite the fact that the union could be regarded as a vanguard at that point in time, it soon emerged, according Zengele (2009:31), that educators wanted a national union whose objective would be to fight racism in the South African education system. The conference was attended by various organisations, such as the African Teachers' Association of South Africa (ATASA), the United Teachers' Association of South Africa (UTASA), the Teachers' Association of South Africa (TASA), the National Teachers' Union of South Africa (NEUSA), the Democratic Educators Teachers' Union (DETU), the Western Cape Teachers' Union (WCTU) and the Professional Teachers' Union (PTU). Collectively, these organisations were later referred to as the Harare Accord which, in time to come, formed the National Teachers' Unity Forum (NTUF) under the auspices and leadership of the Congress of South African Trade Unions (COSATU). COSATU was, even then, the largest labour federation in South Africa and an alliance

partner of the African National Congress (ANC) which later (in April 1994) became the government. By 1994, SADTU had already admitted to its ranks the Eastern Cape Teachers' Union (ECTU) and the Eastern Cape Professional Teachers' Union (ECPTU) as affiliates. SADTU was formally launched in Johannesburg on 5 October 1990, coinciding with World Teachers' Day.

SADTU identifies itself on its website (www.sadtu.org.za) as a truly non-racial union whose prime objective is to eradicate all forms of discrimination in education and emphasises its concerted effort towards creating a free and democratic education system. Even today, SADTU still maintains its original stance, which confirms that its true intent is to pursue working conditions and remuneration which will ensure that professionalism within the industry is fully realised. In essence, the union is not prepared to advance its members towards professionalism progressively; hence there is no distinct commitment in its website and its constitution that binds it to professionalism. SADTU's stance (www.sadtu.org.za) is contrary to what Starr (1982:15) in Chapter 2 (par. 2.2.1) expect of professionals. SADTU is more intent on pursuing better working conditions and profit from the profession than providing service. Though service in the teaching field should not be profit orientated; it would be difficult to lay the blame for this stance entirely at the union's door since issues that relate to educators' remuneration are officially accepted in the chambers of the Education Labour Relations Council (ELRC), and implementation is delayed.

Collective Agreement Number 1 of 2008, which dealt with a Framework for the Establishment of an Occupation-Specific Dispensation (OSD) for educators in public education, yet has to be concluded even as we near the end of 2011.

3.2.1.2 The National Professional Teachers' Organisation of South Africa

In 1991, the National Professional Teachers' Organisation of South Africa (NAPTOSA) was established, and it consisted of the African Teachers' Association of South Africa (ATASA), the Teachers' Federal Council (TFC) and the United Teachers' Association of South Africa (UTASA). The majority of the white educators withdrew from the alliance in 1996, citing the poor treatment of Afrikaans as their indigenous language (Govender, 2004:267). Subsequently, the Suid-Afrikaanse Onderwysersunie (SAOU)

was established comprising Afrikaans-speaking educators. NAPTOSA asserts on its website (www.naptosa.org.za) that the union is a voluntary association of members and that its objective is to promote and protect the professional status of its members. As NAPTOSA grew in strength, it also grew in numbers and became a federation of smaller unions; the likes of SAOU, the Professional Teachers' Union (PEU) and the Natal Association of Teachers' Unions (NATU). It was this amalgamation that enabled NAPTOSA to cross the requisite threshold for representation in the Education Labour Relations Chamber and, accordingly, to be registered as a trade union on 1 November 2006.

3.2.1.3 The Suid-Afrikaanse Onderwysersunie

According to Govender (2004: 273), NAPTOSA's structure had to change also as its affiliates were confronted with challenges emanating from new legislation, cultural tensions and politics of non-racialism. Eventually, NAPTOSA fragmented and restructured. The association was dealt a major blow by the withdrawal of some of its white, Afrikaans-speaking organisations in 1996. According to Govender (2004:273) and Zengele (2009:12), the reasons cited for withdrawal included inferior treatment of Afrikaans and its mother-tongue status, engagement in resistance politics by affiliates and reservations concerning affirmative action. Consequently, a third teacher union, the Suid-Afrikaanse Onderwysersunie (SAOU), was established and duly recognised by the Education Labour Relations Council. As reflected in table 3.2, NAPTOSA which was one of the largest unions in South Africa, had its numbers diminishing due to the split.

As clarified above, SAOU was formed by a break-away group from NAPTOSA. However, it is important to confirm that, currently, SAOU has experienced such growth that it is acknowledged on its own and qualifies for representation at the Education Labour Relations Council. Subsequently, SAOU and SADTU were admitted at national level to the ELRC and were referred to as CTU-SAOU and CTUSADTU (Rossouw, 2010:100). CTU is an abbreviation for Combined Teachers' Unions, and the two unions mentioned above qualified to add this prefix because they had huge numbers already. At the time (February 2006), as Rossouw (2010:99) submits, the constitution of the Education Labour Relations Council had been amended to make allowance for unions who had 50 000 members or more to obtain seats in the ELRC's chambers.

With the passing of Resolution Agreement no. 1 of 2010 (www.sadtu.org.za), though, unions were yet again required to bargain for seats in the Education Labour Relations Council (ELRC). It needs to be noted that SADTU consistently makes a concerted effort to oust other teacher unions from the ELRC by trying to increase the admittance threshold for unions (www.worldpress.org/Africa/2430.cfm) through a closed-shop agreement.

3.3 Definition and characteristics of a trade union

According to Carrel *et al*. (2004:454), in the United States of America (USA) and in many European countries, a union is an organisation of workers formed to further the economic and social interests of its members. This view also applies to the South African perception of trade unions. Kriel (1995:30) submitted that trade unionism is about labour-related issues, such as workers' grievances, labour disputes, conditions of service, working hours, remuneration and collective bargaining. Carrel *et al*. concur with Kriel and list the following characteristics which, inter alia, apply to all organising efforts, though the weighting of these differs from one labour organisation to another:

- Job security;
- Salaries and benefits;
- Promotion of educators' professional aspirations;
- Working conditions;
- Fair and just supervision;
- The need to belong and a mechanism to be heard.

In South Africa, consistent with section 23 of the Constitution, the Labour Relations Act (LRA) of 1995 provides for the establishment of trade unions and employer organisations. The Employment of Educators Act 76 of 1998 (SA, 1998), as Rossouw (2008:61) states, does not provide for teacher unions, which implies that the provisions contained within in the Labour Relations Act should be taken as a guide to all matters pertaining to educators' involvement in union activities. It is also of key importance to note that in South Africa, the origin of teacher unionism was marked by two kinds: unions that are apolitical and professionally inclined, such as the National Professional Teachers' Organisation of South Africa (NAPTOSA), and unions which had aligned themselves with vanguard organisations of the liberation struggle and which are

politically inclined, the likes of which would be the South African Democratic Teachers' Union (SADTU). An understanding of these inherent characteristics of teacher unions is crucial to comprehending how they conduct themselves today.

According to Govender (2004:270), the Suid-Afrikaanse Onderwysersunie (SAOU) stemmed from NAPTOSA, which means the union's inclination is towards professionalism. Govender (2004:270) confirms that white teacher unions struggled to find identities in the new South African dispensation. Some aligned themselves with the new non-racial order while others sought solace in the existing racial structures. Eventually, Govender (2004:272) declares, most white educators broke away from NAPTOSA, and SAOU was formed along racial, political, ideological and organisational lines as well as around the issues of language. As solid as SAOU's professional practices are, apparently, it has left no room for yet another race (Govender, 2004:272).

It should be noted that this study only dealt briefly with three unions' historical backgrounds, as informed by the Education Labour Relations Council's weighting of each (www.sadtu.org.za).

3.4 Aims and objectives of organised labour

Organised labour has common objectives, namely to improve the material, cultural and social status of its members (Finnemore, 1999:41). At international level, what distinguishes one organisation from another is the particular aspect of that broad objective organised labour is endeavouring to pursue and the particular method it employs (Carrel et al., 2004:455).

According to the list submitted by Rossouw (2008:62), the aims and claims of the largest teacher unions in South Africa (the South African Democratic Teachers' Union (SADTU) and the Suid-Afrikaanse Onderwysersunie (SAOU), do match the reasons for organising labour as cited by Carrel *et al*. (2004:454) and Kriel (1995:30). The goals and objectives of these two largest teacher unions in South Africa are tabulated in table 3.1.

3.5 The development of labour relations in South Africa

The significant development of labour relations in South Africa indicated a commitment by both individual (employees and employers) and collective (trade unions and employer organisations) labour to interrelate in order to promote their respective interests. It is important to depict the journey of labour relations development in South Africa, and figure 3.1 illustrates this journey**.**

Table 3.1. Goals and objectives of teacher unions

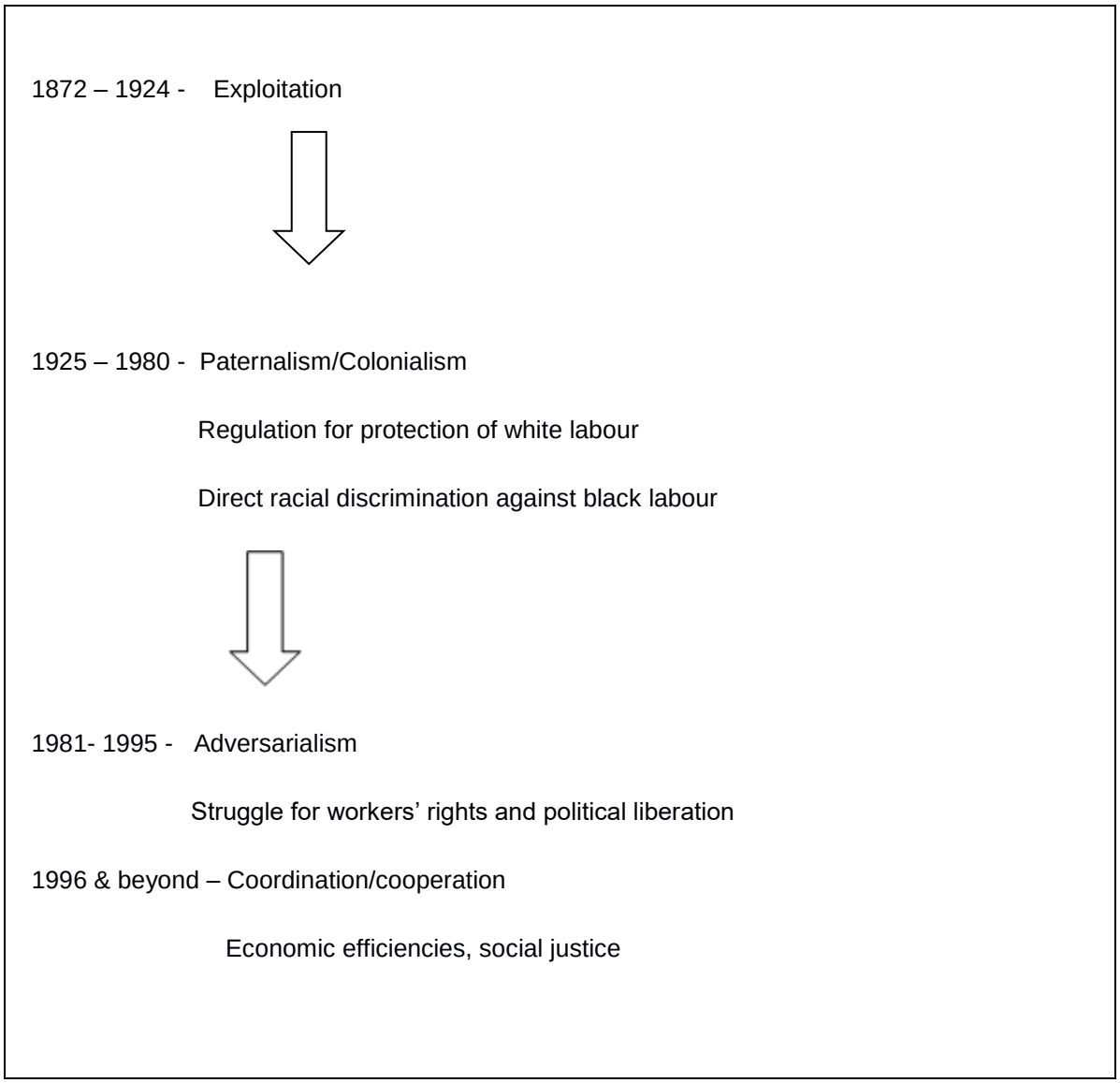
SADTU	SAOU
To fight for better remuneration and working conditions for educational workers. To represent and promote the professional aspirations of educators. To play a leading role in the struggle for education transformation to deliver free and equal quality public education for all. To participate in the struggle to deepen the national democratic rule and the struggle for socialism. To constantly improve the organisation and to conscientise and mobilise members.	To remain bound, as a professional teacher union, to the highest Christian values and norms in service to members, the profession and clients. To negotiate remuneration and terms and conditions of service with the employer and to represent members in all grievances or disputes. To maintain good relationships with the employer and other teacher unions. To offer valuable financial and other services to members. To stay in contact with and constantly inform members of important issues that might affect them.

(Adapted from Rossouw, 2008:62)

3.6 The era of exploitation

The different eras in the development of labour relations are a true indication of just how long this journey took. Rossouw (2010:8) avers that; from 1870-1924, labour rights were almost non-existent, and the government and employers, especially the mining industry, were guilty of serious exploitation and resorting to power and force. Rossouw (2010:8) further submits that this is the era that laid the foundation for paternalism and racial discrimination, a protracted era (stretching over five decades) of industrial turmoil, racial discrimination and political unrest.

Figure 3.1. Phases in labour relations development in South Africa (Rossouw, 2010:7).



(Adapted from Rossouw, 2004:4)

3.6.1 The era of paternalism/colonialism

During the era of paternalism and racial discrimination (1925-1986), amendments to labour legislation were implemented on a regular basis. Statutes were introduced and implemented between 1956 and 1994, all of which have been repealed by Section 212 of Labour Relations Act (66 of 1995).

Rossouw (2010:9) portrays this era as characterised by a division into groups (polarisation) of unions representing opposing views regarding black inclusion in collective labour relations. Political developments in the 1940's, according to Rossouw (2010:9), gave rise to further polarisation between racial groups due to legislation that advanced white interests. As Appendix A illustrates, this resulted in more strike actions and increasing black awareness in terms of becoming better organised as trade unions.

3.6.2 The era of adversarialism

During this era, and subsequent to the Industrial Conciliation Amendment Act (94 of 1979), an industrial court was established according to Rossouw (2010:10). Labour relations, during the era of adversarialism, featured the court being used as an arena of struggle by both employees and employers (De Waal, Currie & Erasmus, 2001:391). However, presiding judges in this era were empowered by the 1956 Labour Relations Act to give substantive meaning to the principle of fair and unfair practices. De Waal ***et al***. (2001:392) submit that the struggle in court led to a conception of a body of "jurisprudence" regulating both individual employment relations and collective labour relations.

3.6.3 The era of co-determination and cooperation

This is the current era under the new Constitution of the Republic of South Africa and, according to Rossouw (2010:11), it is characterised by cooperation since the government of the day has become more sympathetic towards labour, yet there are signs, lately, that cooperation is diminishing. Unfortunately, this era also features quite a number of job losses as the economy worsens (Finnemore, 1999:23). Rossouw (2010:11) believes that this era is characterised by consultation and codetermination far more than has previously been the case. It is essential to observe, Rossouw

(2010:11) states, that the changed society and the dictates of global competitiveness make co-operative labour relations a necessity for survival and economic growth.

According to Pons and Deale (2001:6), labour relations came of age and developed rapidly in the eighties, notwithstanding the fact that current development seems to be lagging behind in terms of pace. The current slow pace, Pons and Deale (2001:6) assert, can be attributed to the economic realities that render the requisite positive development impossible. Finnemore (1999:22) concurs with Pons and Deale (2001:6) and adds that the current political climate is polarising major unions, resulting in uncertainty that hampers the effective growth of trade unionism. Both Pons and Deale (2001:6) and Finnemore (1999:22) agree that the building of longterm co-operative relationships between individuals and collective labour has always been governed by an array of disagreements, which they attribute to the prevailing economic and political climates.

3.6.4 Development of education labour relations in South Africa

Rossouw (2010:11) declares that public schools in South Africa were one of the battle arenas in the struggle for political liberation. However, it should be noted that the development of labour relations in the education sector did not raise as much controversy as it did in the mining and commercial industries. Despite the struggle during the 1980's and 1990's, Rossouw (2010:12) confirms that educators did not frequently embark on large-scale strikes and when they did, the reasons were not directly linked to labour matters but to political issues because some of the teacher unions were very actively involved in the numerous campaigns to bring about the abolishment of apartheid (Rossouw, 2010:12). According to Rossouw (2010:12) and Finnemore (1999:23), the culture of teaching and learning in schools was severely and adversely affected by the struggle slogan of the 1980's and 1990's, namely "Liberation before Education", which had a negative impact on national education. It is important to note that, according to Smit (2009:443), the political stance trade unions maintained against apartheid during the struggle was understandable. Based on the televised chants and slogans uttered at the time of the public servants' strike of 2010, it is evident that, currently, unions that played a major role in the liberation struggle are lost to their inherent ideologies and have turned into ladders for promotional posts and political gains.

3.6.5 Unfair labour practice jurisdiction

The changes in legislation over the years serve as an indicator to determine the development of labour relations in education. Rossouw (2010:12) submits that prior to the enactment of the Public Service Labour Relations Act (105 of 1994) and the Education Labour Relations Act (146 of 1994), all civil servants did not have access to the labour or industrial court or, as Grogan (2009:352) asserts, statutory bargaining mechanisms. This implies that the introduction of the acts stated above extended unfair labour practice jurisdiction to public servants, inclusive of educators, and gave them access to the industrial and labour appeal courts, as well as the freedom to strike (Rossouw, 2010:12). However, it should be noted that the lifespan of the Education Labour Relations Act (146 of 1994) was cut short by the promulgation of the Labour Relations Act (66 of 1995) which repealed it.

The year 1994 also marked the implementation of the Educators' Employment Act (138 of 1994) which was subsequently repealed by the Employment of Educators Act 76 of 1998 (SA, 1998). The Employment of Educators Act plays a major role in regulating educators' activities and their norms and standards (Education Labour Relations Council, 2003). Amendments on a regular basis of the Employment of Educators Act indicate, as Rossouw (2010:12) submits, the dynamic development of general labour legislation as well as the changes in education labour relations. For instance, chapter six of the Employment of Educators Act (76 of 1998) consisted of the provisions regulating the South African Council for Educators, and this was amended in 2000 when the South African Council for Educators Act 31 of 2000 (SA, 2000) was promulgated.

Rossouw (2010:15) adds two other important documents which have a fundamental bearing on the development of labour relations in education. These are:

- The Personnel Administrative Measures (PAM), published in Government Gazette 19767 (Notice No: 222) on 18 February 1999. It specifies the conditions of service of educators and outlines the grievance procedure for educators. This document, however, is found lacking due to its silence on important issues such as conditions of service during strikes.

- The Education Labour Relations Council (ELRC), which is the bargaining council for all employees to whom the Employment of Educators Act applies. The ultimate aim of the council is the promotion of labour peace.

With the above history in mind, it is correct to state that labour relations in South Africa developed so rapidly towards the end of the twentieth century that legal maturity was attained. What has become clear from the background given above is that South Africa has a long history of teacher unionism. At an organisational level, as Govender (2004:267) submits, the face of teacher unions has changed considerably, reflecting the changed socio-political landscape of South Africa in the 1990's. According to Govender (2004:267), due to the changed nature of the state, educator-state relations have changed tremendously for the better. Govender (2004:267) further argues that South African teacher unions currently enjoy a much closer relationship with government than they did before 1994. Govender cites examples such as unions being represented in joint policy-making forums such as the ELRC, SACE and Public Service Coordinating and Bargaining Council (PSCBC). Each teacher union, Govender (2004:267) further contends; has two representatives in the Department of Basic Education who are employed to ensure collaboration and sharing of ideas pertaining mainly to curriculum and its implementation. However, it is noticeable that the current political and economic realities hamper the progressive development of long-term cooperative labour relationships (Pons & Deale, 2000:6).

3.7 THE ROLE OF POLITICS IN THE BIRTH OF UNIONISM IN SOUTH AFRICA

It was in 1980 in Harare that COSATU started organising a teacher union for blacks which would later be known as SADTU. COSATU's view that educators had a role to play is supported by Bascia (1999:91) when she states that no one is better qualified to address the problems of educators than the teacher unions. Irrespective of the nature of teacher unionism in South Africa and the different views of various authors, the history of South African education, especially education for Blacks, should reflect the origins of militancy as opposed to professionalism within teacher unionism. SADTU constituted itself as non-racial and allied itself with vanguard organisations of the liberation struggle: the African National Congress (ANC), the Congress of South African Trade Unions (COSATU) and the South African Communist Party (SACP).

Since SADTU was born through COSATU, it remains an affiliate of COSATU which forms a tripartite alliance with the African National Congress and the South African Communist Party. It stands to reason that COSATU has a leftist influence in government policy formulation.

3.7.1 The political edge to the activities of teacher unions

Govender (2004:268) contends that the development and history of teacher unions in South Africa are closely related to their political relationship with the government of the day, hence the political edge to their activities. The teacher unions, however, do not run parallel to one another, and they have continued to be divided along political and racial lines. Govender (2004:272) believes that teacher unions in South Africa failed to reach consensus on the question of political alignment of which a strong undercurrent was the differences over the political role of educators, both within and outside the classroom. SADTU maintained its stance as a unified body based on unionism and insisted on the educators' right to strike as opposed to the National Professional Teachers' Organisations of South Africa's (NAPTOSA) emphasis on learners' entitlement to uninterrupted learning. The Suid-Afrikaanse Onderwysersunie (SAOU) concurred with NAPTOSA; consequently, teacher organisations became further fragmented along political, ideological and organisational lines (Govender, 2004:272).

Govender (2004:270) submits that during the transition to democracy, SADTU could no longer confine itself to unionism, and its agency power became constrained due to its loyalty to the new ANC government. Many of the former SADTU leaders had become part of the establishment of the new government. SADTU's former president, Mdladlana, and former general secretary, Van der Heever, became ANC Members of Parliament. White teacher unions, according to Govender (2004:270), struggled to find identities: Some aligned themselves with the new non-racial order while others sought solace in existing racial structures. It, therefore, is correct to declare that the impetus for SADTU's meteoric rise during this period was largely political.

Over the years, SADTU has continued to play a political role, and according to the qualitative evidence in Smit (2009:441), SADTU is responsible for the politicised climate in many dysfunctional schools in South Africa. Smit (2009:442) contends that the department of education nationally seems to be reluctant to address the unlawful

activities of teacher unions and poor professional productivity due to its lack of understanding of the principle of the rule of law and democratic liberty. The implication here is that teacher unions, SADTU in particular, have become “untouchable” as departmental officials overestimate the political role unions should be permitted to assume (Smit, 2009:442). McDonnell and Pascal (1988:8) confirm that internationally, teacher unions operate as political interest groups working to obtain benefits from the external environment. SADTU’s unrestrained political power has caused it to invade management, administration and governance, yet all these activities are outside its jurisdiction. According to a labour law expert, Andrew Levy (2010:1), during the 2010 civil servants’ strike, SADTU, in its anger with the government, held the country’s schools to ransom just like the National Education and Health Association of Workers Union (NEHAWU) held the country’s hospitals to ransom infringing on the patients’ right to healthcare. He concluded his article by questioning the integrity of COSATU as a federation and questioned its allegiance to the African National Congress (ANC).

3.7.2 Political climates affecting unionism in South Africa

Pencavel (2005:67) contends that trade unionism, internationally, is adversely affected by the prevailing national political climates. What is characteristic about unionism in all countries studied (United States, South Africa, New Zealand, France, Britain and Australia), Pencavel (2005:67) submits, is that the welfare of union members is often affected materially by the legislative, executive and judicial activities of government. This seems to be the reason why unions form alliances with influential political parties even though it puts constraints on the autonomy of unions. Pencavel (2005:68) cites the example of SADTU that is affiliated with COSATU which, in turn, is an affiliate of the country’s ruling party, the African National Congress (ANC). According to Pencavel (2005:68), such an alliance does not only erode the union’s autonomy but frequently binds the union to unethical decisions that compromise the majority of its members. Affiliations with union federations such as the Congress of South African Trade Unions lead to an inclination towards politicising the membership and aligning them with the aims of the ANC (Jansen, 2008:14). Jansen (2008:14), however, supports Kriel (1995:37) in that NAPTOSA and SAOU have remained professionally progressive as they are not linked to political parties. This, Jansen (2008:14) concludes, does not necessarily mean that they are not affected by whatever the prevailing political climate may be and cannot completely distance themselves from politics.

Although Kriel (1995:32) stated that the main purpose of the unions is to concern themselves with work-related issues, he acknowledges that there is a political connotation or side to the coin. However, Finnemore (1999:16) cites that labour relations systems are undergoing major changes in response to the opening up of global markets and the political transformation that has occurred in many countries. Finnemore (1999:16) declares that the systems that are emerging are based more on economic and political pragmatism rather than ideology alone.

Prior to the ANC Conference held in Polokwane in December 2007, it had become clear that COSATU and her affiliates were intent on pursuing a political agenda to destabilise learning and teaching. Qualitative evidence (Smit, 2009:441) confirmed that members of SADTU, an affiliate to COSATU, were deserting classrooms. Some evidence in the study by Smit (2009:441) indicates that the union had a political mandate from the ruling party or their union federation, COSATU.

After the ANC Polokwane Conference at the end of 2007, a state of euphoria prevailed for days within certain ranks of the ruling party but more so within COSATU and its affiliates (Malala, 2008:4). Following that political climate, SADTU, in its news edition, Educators' Voice (Lewis, 2008:3), came up with a very positive stance towards enhancing educator professionalism. It is significant to observe that, according to Finnemore (1999:17), the factors that impact on educator professionalism range from political and socio-economic to pedagogical issues.

3.7.3 The teacher unions' involvement in policy development

As stated earlier, Govender (2004:267) contends that the face of the teacher unions has changed considerably, reflecting the changed socio-political landscape of South Africa in the 1990's. South African teacher unions are not only engaging with government on labour relations issues, they are represented in joint policy-making forums such as Education Labour Relations Council (ELRC), the South African Council for Educators (SACE) and the Public Service Coordinating Bargaining Council (PSCBC). All three recognised teacher unions in South Africa (SADTU, SAOU and NAPTOSA) have two representatives each in the Department of Basic Education whose duty is to ensure collaboration and sharing of ideas pertaining to curriculum and its implementation.

According to Govender (2004:268), teacher unions have a powerful presence in the policy domain. However, it is crucial to note that particular strategies are necessary in negotiating the difficult terrain of “policy politics”, especially where the contest is about ownership and control of policy (Govender 2004: 468). Unions, SADTU specifically, started engaging in negotiations with the Education Labour Relations Council for a closed-shop in 2007. This meant that unions would qualify for seats in the ELRC bargaining chamber depending on their weighting in numerical terms. Since then, unions have had to work hard over the years to ensure that their numbers give them seats in the ELRC. ELRC Collective Agreement No. 1 of 2012 consists of tabulated vote-weights for the trade unions that are parties to the Council. Many smaller unions formed a federation under NAPTOSA. The table that will follow indicates the current power of the teacher unions.

Table 3.2. is evidence that the “closed-shop” negotiations were still being advanced by SADTU, thus keeping membership records. Smaller unions do not qualify for seats in the Education Labour Relations Council; their voices can only be heard through larger unions like CTU SADTU, ITU NAPTOSA. The tabulated voting weights were prepared towards the end of 2011 specifically for 2012 salary and fringe benefits negotiations. The Combined Teacher Unions (CTU) concept is used for bargaining purposes only. SADTU has formed CTU with CTPA and NAPTOSA has formed Independent Teacher Unions (ITU) with SAOU, PEU and NATU. Despite SAOU’s and NATU’s remarkable growths, to gain more power in the ELRC bargaining chambers, these unions had to form a coalition into NAPTOSA in order to thwart SADTU’s dominance. Coalition is usually limited to a short period of salary negotiations (www.naptosa.org.za).

3.7.4 The influential history of unions in the policy domain

Zengele (2009:60) confirms that, internationally, teacher unions have influenced education policy and social change throughout their history. What is regrettable in South Africa, according to Zengele (2009:60), is that COSATU, through SADTU, has been rearing its leftist head in education policy making. Zengele reasons that the fact that COSATU represents workers generally makes it impossible to view and encourage its affiliate SADTU members towards professionalism. With slogans of the past struggle such as “injury to one is injury to all”, COSATU expects educators to join

industrial strikes that directly affect their own members yet are far-fetched or irrelevant for educators (Zengele 2009: 61). It is in the light of the above that SADTU,

Organisation	Total Member-ship	Total Inter-coalition Membership	Net-Membership	Net-Membership %	Representatives
1. SADTU (CTU)	**246,560**	**605**	**245,955**	**67,61%**	**17**
1.1 CPTA 1.2 SADTU	4, 470 242,089				
2. NAPTOSA (ITU)	**106, 544**	**2,940**	**103, 604**	**32,39%**	**8**
2.1 NATU 2.2 PEU 2.3 NAPTOSA	28, 865 16, 046 41, 531				
2.4 SAOU	23, 102		23, 102		
GRAND TOTAL	**353, 104**	**3, 545**	**349, 559**	**100, 00%**	**25**

as Govender (2004:268) confirms, adopted a strong unionist approach in dealing with educational change and policy. Consequently, policy implementation at school level often fails to completely take off the ground due to interference and suspicious resistance from SADTU in the main (Zengele, 2009:61). Jansen (2004:51) rhetorically questions SADTU's resistance to whole school evaluation (WSE) and its insistence on

a moratorium on the entire process despite the policy claim to improve the performance of educators and the functionality of schools.

Zengele (2009:63) further avers that SAOU is able to respond to the challenge of contributing to policy development far more effectively than SADTU. He cites SAOU's historical background, which is related to that of NAPTOSA on professional matters, as the reason why it remained in good stead. The union is able to draw on technical and policy expertise from its own ranks which include university academics. Zengele (2009:63) and Govender (2004:281) confirm SADTU's strength in keen awareness of and responsiveness to the political dynamics in education. SADTU, according to Govender (2004:281), gradually realised that its neglect of professional matters rendered the organisation weak and decided to correct the imbalance. SADTU has since established an education and research department and, recently, a legal department.

Jansen, in Sayed and Jansen (2001:12), holds an alternative view to that of Zengele (2009:60) and digs into the archives of education policy formulation in order to clarify the unions' contest for education policy. Jansen (2001:12) declares that the first major competitor in the race for policy position was the trade union movement in the 1980's. By 1994, unionists were ready as they had started preparing policy change by the late 1980's led by Erwin (Sayed & Jansen, 2001:14). As South Africa entered into the 1990's, COSATU adopted the National Union of Metalworkers of South Africa (NUMSA) model which originated from the Australian Metalworkers Union (AMU) offering block training for workers through Participation Research Projects (PRP). PRPs also served as policy deliberation forums for education and training (Jansen, 2001:15).

Jansen, in Sayed and Jansen (2001:15), submits that COSATU (radical unionists) and the National Training Board (NTB), a conservative white Afrikaner-dominated organisation, had to forge relations in order to work together effectively on policy deliberations and political negotiations. Jansen (2001:15) further contends that policy development through the model that COSATU had led did not augur well with the then ANC leadership. It is important to clarify that the same ANC leadership, according to Nzimande, in Sayed and Jansen (2001:30-41), did not have any alternative model to offer as they spent more time fighting policy contestations from the National Party.

Consequently, the government had no choice but to endorse the integrated education system which was the brainchild of the National Training Board and COSATU. It seems that the integrated education system has not turned out as successfully as it was envisaged due to the ANC-led government's lack of strong commitment to it. This is because the ANC had alienated itself from the significant union history which informed the process.

Jansen and Nzimande, in Sayed and Jansen (2001:17-24 & 41), concur that COSATU did manage to establish a broad framework within which all education policy leading to and flowing from 1994 was to operate despite the bureaucratisation of the process by the ANC leadership. The ANC, Nzimande states in Sayed and Jansen (2001:41), envisaged a triumphant document that would not only formally collapse the apartheid edifice in education but also celebrate, in formal policy terms, the victory of education struggles.

Though COSATU delivered the desired document, accepting that COSATU, a union federation produced it was a bitter pill to swallow within the ANC's ranks. However, this explains COSATU's claim to and hold on the policy formulation arena.

3.7.5 The altered structure and strength of teacher unions

Inevitably, the shape of teacher unions has been influenced by new education and labour legislation. The National Education Policy Act provided for the management of education along national and provincial boundaries, which necessitated unions to restructure to ensure a presence in every province. The National Education Policy Act also provides for government consultation with the organised teaching profession and their stakeholders in the area of policy development. It is important to note that the structure and the strength of the teacher unions were changed mainly by the ground-breaking labour legislation: the Labour Relations Act (66 of 1995). Though the Constitution acknowledges workers' rights, educators' rights to collective bargaining and strike action are only guaranteed in the Labour Relations Act. Following the enactment of the Labour Relations Act, a formal mechanism for collective bargaining and determination of labour policies, the Education Labour Relations Council was instituted (Govender, 2004:272). This marked the teacher trade unionism institutionalisation in South Africa.

3.7.6 The prevailing comradeship system of government appointments

According to Barbeau (2009:15), nobody really wants to make an official statement about what she calls the “cadre-system” that links the ANC, COSATU and SADTU, yet it does exist. Barbeau (2009:15) claims that the advancement of party loyalists and appointments to leadership positions of undeserving people are eroding the already ailing education system. In an interview with The Saturday Star (Barbeau, 2009:15), Jansen, a renowned scholar, asked a rhetorical question regarding who exactly has the nation’s children and their rights at heart? Jansen confirms that there is no evidence that the country’s leadership and unions care about the children who are South Africa’s future. Teacher unions, according to Barbeau (2009:15), have damaged the image of the teaching profession through their role in politics.

The public perception, as Barbeau (2009:15) declares, is that unions are a problem and, thus, it is hard to attract young people with potential into the profession as unions are too busy advancing their own members into positions of power they do not deserve. However, despite criticism from the public, media and opposition parties, SADTU’s website lists reasons for educators to vote for the ANC as, obviously, there would be gains in terms of appointments into leadership positions (Barbeau, 2009:15).

According to a *Progress in International Reading Literacy Study* published in 2007, South Africa has one of the world’s worst performing education systems in terms of literacy, yet as Blaser (2009:15) of the SA Institute of Race Relations argues, SADTU is indifferent to the problems in the education system. Blaser (2009:15) further contends that the union is undermining education by subjecting it to the political agenda of its leaders and intervening in the power squabbles. In the same interview with *The Saturday Star*, an education analyst, Maree (2009:15), submits that in an ideal world, teacher unions should be apolitical.

COSATU, according to Zengele (2009:2), has a history of “thanking” their members for active participation in union affairs. It is believed that COSATU used its influence to give positions of power to its affiliates and members. Consequently, educators become deeply engrossed in union activities with expectations for promotions. Zengele (2009:2) avers that expectations for promotions, brought about by the increasing instances of the promotion of past unions officials since 1994, have increased. Examples that are cited by Zengele (2009:2) are those of:

- Hindle, a former educator and a former SADTU president, became the Director General of the Department of Education;
- Mdladlana, also a former educator and a former SADTU president, with the support of SADTU and COSATU, became Minister of Labour when the ANC was voted into government in April 1994; and
- Thulas Nxesi, the long serving secretary general of SADTU, was sworn in as a Member of Parliament in April 2009.

There are scores of senior positions that have been filled by strong SADTU activists. This, as Zengele (2009:3) and Bascia (1999:44) contend, results in unionists occupying high positions which they have no experience, qualifications and skills to manage, compromising delivery of quality education. Evidence of what Zengele and Bascia have alluded to above became clear during the 2010 strike, as striking educators openly enticed reluctant educators with promotional posts and intimidated those who did not want to join the strike.

Govender (2004:267) attributes the appointment of union officials to senior governmental positions to the notion in Mexico where the National Union of Education Workers was established with the strong backing of the Institutional Revolutionary Party which won the elections. In return for their loyalty, union leaders were rewarded with management positions and were appointed to key government positions. Govender (2004:267) argues that this is a resemblance of the relationship shared between SADTU and the ANC prior to the first democratic elections in South Africa. SADTU, as an affiliate of COSATU, played a significant role in helping the ANC with the 1994 elections.

Sayed (2002:30) states that such appointments were problematic in the sense that the new political appointees were with the “old technocrats” of the apartheid era in some structures. Sayed (2002:30) asserts that the new appointees were not well versed in relation to system management. This conclusion may be attributed to Jansen in Sayed and Jansen (2001:243), when he maintains that how educators see themselves professionally and how they see themselves politically are two different realities in education. However, it is crucial to note that such appointments have contributed to the shaky situations experienced by educators at school levels. The South African government has played a very passive role in professionalising education and

discouraging lawlessness. Conspicuous acts of education malpractice have remained unquestioned either because of a lack of knowledge to address such or through the need to protect cadres (Barbeau, 2009:15).

This study has also looked into other characteristics that prominently feature in teacher unionism, and the study has discovered that teacher unions have become too dominant in the state and party politics, resulting in their role and the professional status of educators being greatly compromised.

3.7.7 Debates relating to educators as professionals or workers

From the definition of a union Carrel et al. (2004:454) have given, it is apparent that trade unionism is for “workers”. The debate that stems from this is whether educators are professionals or workers. Kriel (1995:14) contended that professionalism sparks a debate among unionists as it is perceived as prescriptive pertaining to educators’ behaviour and dress code. In the past, according to La Morte (in Kriel, 1995:16), educators’ dress code was decided upon by the school board. For example, in 1915, the code of conduct and the dress code for educators were published in the West Virginia Board of Education and were not to be contravened during the contract period. The chairperson of the board, as Kriel (1995:16) further submits, regulated the movement of educators (especially females) and the length of their dresses, and there were strict instructions not to dye their hair. All this led to an inclination towards trade unionism in education.

In 2008, SADTU concurred with Kriel (1995) on its website (www.sadtu.org.za) when it argued that the current debate in South Africa at that time about educators’ dress code fuelled educators to reinforce unionism as it seemed to suggest that educators are not capable of making independent decisions pertaining to their appearance. Accordingly, this implied that they cannot be autonomous and accountable to uphold the reputation of their profession. In an SABC 3 Morning Live interview (2008), Nxesi, the former national secretary of SADTU, showed disbelief that the South African Council for Educators (SACE) Board and the Department of Basic Education perceived educators as people who needed a bureaucratic prescription of their professional dress code. That, as Nxesi contended, showed lack of respect for educators as intellectuals who by virtue of being educators should be autonomous and undermined efforts made by unions to professionalise education.

It, therefore, is correct to say that the autonomy of the education profession was challenged by the SACE Board and the Department of Basic Education. How then can these stakeholders play a significant role in the professionalisation of education when they still want to make decisions for educators? Teacher unions form part of the SACE executive committee which is indicative of their desire to professionalise education, though bureaucracy lingers and fuels radical opposition from unions (Nxesi, 2008). The impression created by the South African Democratic Teachers' Union is that the organisation is keen to promote professionalism in education. However, it is notable that the SACE Board had since abandoned the notion of prescribing educators' dress code as it attracted wide-spread criticism from unions and the media. The Board was then perceived as admitting to have neglected its obligation to develop educators professionally. Thus, they wanted to employ drastic measures to force educators to look a specific way (www.sadtu.org.za).

3.7.8 Union mechanisms and professional adjustment

Jansen (2004:52) submits that trade unionism in South African education is about two opposing positions; professionalism and de-professionalism. The implication is, as Jansen contends, that certain aspects of education may be professionalised while some aspects may be de-professionalised. Beckmann (in Kriel, 1995:36) also declares that in South Africa, there is an argument that the teaching profession is not in line with the methods and techniques of unions.

Beckmann (in Kriel, 1995:33) cites an example of the General Teaching Council (GTC) for Scotland which is comprised of teacher organisations that want to be characterised as unions and also advocate for professionalism. According to Weir (2001:42), many teacher unions accepted this, albeit with varying degrees of enthusiasm. Beckmann (in Kriel, 1995:36) further argues that an idea of linking union mechanisms with professional adjustment is not far-fetched, and he substantiates his argument by postulating a scenario whereby a number of teacher organisations that established the GTC for Scotland characterised the idea of professionalism into unionism. Whitty (2006:9) submits that; despite the efforts the GTC for Scotland exerted towards professional productivity, it was viewed with suspicion by many educators on the grounds that it was influenced by the teacher unions that advocated its establishment. According to Whitty (2006:10), in the face of government labour reforms that

undermined key elements of educators' autonomy and organising positions, the GTC for Scotland found it difficult to pursue its intentions to adapt professionalism into unionism. Eventually the GTC for Scotland abandoned the idea and relentlessly inclined towards unionism as the bureaucratic labour reforms advocated prescriptive professionalism (Whitty, 2006:12).

This idea is also being promoted in South Africa, hence the relationship between the South African Council of Educators and trade unions. The National Professional Teachers Organisations of South Africa, for instance, is known for advocating professionalism (Kriel, 1995:37; Govender, 2004:272; www.naptosa.org.za). Jansen (2008:14) believes that individuals within the South African Democratic Teachers' Union would be keen to advocate professionalism if it were not for the union's affiliation to the Congress of South African Trade Unions which perceives educators as workers. However, Mseleku (in Kriel, 1995:39) contends that the South African Democratic Teachers' Union does not reject professionalism but honours that concrete expression of professionalism must be provided. Educators, according to Nxesi (in Kriel, 1995:39), can function as real professionals if there were maximum support from the Department of Basic Education.

Lewis, the former South African Democratic Teachers' Union's news editor (2008:3), claimed that the organisation had committed to restore, uphold and promote the status of educators by fighting for better remuneration and acknowledgement of educators as professionals as well as improving the conditions in which they work. This is contrary to the same Lewis (2007:6) who in his article aligned himself with the Congress of South African Trade Unions (COSATU) by stating that the 2007 prolonged industrial action would benefit all "workers" in the long run. This seemed to be confirming that educators want to be both professionals and ordinary workers too. In defence of both unionism and professionalism, Mseleku (in Kriel, 1995:40) submits that responsible educators can be committed to both; provided that after a strike, for instance, they would go back to the schools and exert extra efforts to recover the work not done during a strike.

Zengele (2009:59) evokes the speech of the current SADTU president, Ntola, captured in The Voice (2008:6), in which the president indicated that SADTU is committed towards building a union of professionals. SADTU president also declared that the

union would remain committed to act against unprofessional conduct displayed by educators as such conduct tarnishes the image of the union. Ntola further asserted that SADTU has to be perceived as an additional voice for the profession, not as a trade union. Conversely, the former president of SADTU, Madisha, had frequently asserted that educators are workers and not professionals.

This contradiction raises questions whether the generally radical and militant SADTU is prepared to respond to the blowing international winds of change regarding trade unionism in education. Is it the organisation itself or the individual SADTU members that are reluctant to transform? Could it be a possibility that SADTU indeed is willing to professionalise education, but bureaucratic control by the employer is hampering such progress? Comparing the utterances of Ntola during the 2010 civil servants strike (SABC 3, 2010), it is remarkable that despite the anger with the employer, the SADTU president still reproached educators who behaved in a manner that undermined the integrity of the strike. When the strike was suspended for 21 days, Ntola (SABC 3, 2010) urged educators to go back to their posts and resume work.

3.7.9 The educators' status

The current era has been characterised by a debate informed by the tension between whether educators are workers or professionals (Carrim, 2003:306-322; Govender, 2004:267; Zengele, 2009:57). Supporters of trade unions argue that educators are workers because as state employees, they are subjected to insecurities and processes of proletariasation (Carrel et al. 2000:456). This means that labour processes in the capitalist society are eroding the professional status of educators. As Oosthuizen et al. (2009:107) assert, teaching is an intellectual or mental labour. Hoyle and John (1995:47) concur with Oosthuizen et al. and emphasise that teaching deserves professional status. However, Carrim (2003:308) highlights the contradictory position of educators in society: whether they are workers or professionals belonging to a better social group due to their education. The debate on whether educators are workers or professionals has informed the debate on unionism and professionalism. In Govender's view (2004:267-291), unionism and professionalism are necessarily opposed to each other. It is for this reason that teachers' trade unionisation has been seen by some sectors of the South African public as amounting to de-

professionalisation of education. This view is also supported by the criticism of teacher unions in the media.

It is important to note the sound argument of Govender (2004:269) and Heystek and Lethoko (2001:222-228) that, in the context of South Africa, the dichotomy between teacher unionism and educator professionalism is being eroded among union and professional bodies and the public as well. The emerging talk is now about "professional unionism" (Lewis, 2008:3) which sees the notions of professionalism and trade unionism as not only compatible but as different sides of the same coin. Govender (2004:269) attributes the erosion of the dichotomy to the nature of educators' work which at times requires professional activities and at times develops into labour issues.

It seems, therefore, that the diverse notions depend on whether one sees the education system as being de-professionalised or professionalised, and that is a function of one's conception of professionalism. For instance, if one associates professionalism with educators' autonomy and accountability, one will find the current erosion of these tenets by bureaucratic governments and revolutionary unionism to have the effect of de-professionalisation.

3.7.10 Teacher unions and critics

Trade unionism is legal, and as Rossouw (2010:99) states, the Constitution as well as the Labour Relations Act (LRA) 66 of 1995 (SA, 1995) stipulate that employees have the right to participate in forming a trade union or federation of unions and to join a trade union of their own choice. Chapter two of the Constitution, the Bill of Rights, also grants the right to strike on which the LRA elaborates. The implication here is that employees may choose to join any trade union they like or may choose not to join a trade union at all. The LRA also grants employees the right to strike and employers' organisations the right to lock-out employees (Rossouw, 2010:16-17).

However, Jansen (2008:14) contends that although trade unionism has been advocated and established for all the good reasons in the past, it has now become a problem in education as the largest union, SADTU, has a hold on schools and impedes progress and implementation of policies that could cure the ailing South African education system. Jansen claims that the union focuses more on being superior and convincing majorities of its superiority rather than on playing a distinguished role in

education itself and in schools. Jansen (2008:14) views this attitude as a political and cultural problem. According to Jansen (2008:14), the fundamental problem in education is not necessarily educators' knowledge with regard to what their job entails, but it is whether they ever find time to render services as they are pulled from different directions by two kinds of commitments: trade unionism and professionalism. Due to the hold SADTU has on school educators, professionalism always suffers (Jansen, 2008:14).

Jansen (2008:14), who visited about 300 schools during the course of 2007 and 2008 in preparation for a conference on educators' training at the University of the Witwatersrand, is convinced that it will be difficult to change schools from outside because of SADTU's relentless resistance to change as well as its belief that schools are its personal properties.

Government, the media and the general public are also the greatest critiques of unionism in education (Pencavel, 2005:64). Fraser-Moleketi, former government minister (in HSRC, 2007:4), asserted that the government's interest is not to encroach on educators' labour rights, but that it has an interest in the millions of South African children's education which is at stake every time educators decide to embark on a strike. According to Fraser-Moleketi (in HSRC, 2007:4), educators lack professional accountability, and this is a challenge that the employer has to examine closely. Addressing guests at the National Teachers Awards (NTA) function, the Minister of National Planning in the Presidency, Manuel (2011a), asserted that teacher unions have become a problem in the education system in South Africa. He cited problems of misconduct and failure to honour the teaching profession as educators desert the classrooms without fail when salary negotiations deadlock. Manuel, who is least opposed to teacher unions, avers that by now, teacher unions should have come up with a better mechanism of protest than to desert the classrooms. In a Quality Education Indaba Conference, a co-founder member of COSATU, Salim (2011), criticised the manner in which educators conducted themselves during the 2010 strike. Salim confirmed that the issues that led to the strike were genuine, but the conduct of the educators alienated support from the South African citizenry. Like Manuel, Salim argued that different mechanisms should have been employed to garner support throughout the strike but, apparently, educators' misconduct outweighed that need.

3.8 SUMMARY

From the above discussions, it is clear that teacher unionism has politicised the education system and has become a very prominent feature in government sectors such as education as well as in business and industry. It follows then that both employees and employers must be well acquainted with the basic framework and knowledge of the new labour dispensation in South Africa as trade unionism places a great pressure on employees and employers to manage and maintain healthy labour relations in order to enhance productivity. It is vitally important for the development of this study also to analyse and acknowledge the challenge that educator trade unionism poses for educator professionalism. Unchecked, teacher unionism could nullify all the efforts exerted in professionalising education, and this would impact very negatively on learners and societal development (Boyd et al., 1998:4).

CHAPTER FOUR

LEGISLATION'S DETERMINING IMPACT ON EDUCATION IN SOUTH AFRICA

4.1 INTRODUCTION

As with any other public policy endeavour, education is guided by the framework established by law. Accordingly, there is legislation in place that is designed to regulate the vast and diversified labour and professional activities of educators. Education falls within ordinary parliamentary legislation, and the latter is promulgated specifically for education purposes. Examples are the Employment of Educators Act (EEA) 76 of 1998 (SA, 1998), the South African Council of Educators Act 31 of 2000 (SA, 2000) and the South African Schools Act (SASA) 84 of 1996 (SA, 1996c).

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This study has briefly discussed, examined, analysed and criticised legislation and its impact on regulating educators' professional and labour activities as well as the employment relationship of educators teaching in public schools.

4.2 BACKGROUND

It is common knowledge that the South African education system was characterised, in the past, by a gross violation of human rights, inequality and discrimination (Dlamini, 2006:55). This is the reason why in the Constitution, particularly in the Bill of Rights, equality is a resonant and recurrent theme. According to De Groof (2006:4), previously there had been no written legal or official statutes for educators, learners and parents as major stakeholders in education. The implication here is that educators, learners and parents were merely mentioned and acknowledged as stakeholders in education but they all had no legal status within the schools and no access to the courts of law.

The relationships between the various sections of the school community were based on mutual trust, confirms Zengele (2009:52). This means that the question of clearly establishing the learner's legal status seemed a superfluous exercise then.

De Groof (2006:3) avers that education legislation emanated from the conflicts that existed within the then education system. De Groof (2003:3) concurs with Fischer, Schimmel and Kelly (1999:44) when he declares that a judicial approach to acknowledge educators' rights, learners' rights and parental responsibility had to emerge in order to pave the way for transformation in the education system. The law, as De Groof (2006:2) declares, had to establish a legitimate basis for a refurbished educational system and also to provide a framework for lending support to democratisation as the nation reached a turning point in its history. Fischer et al. (1999:44) emphasise that legislation plays an instrumental role in the democratic development of the state and its ethical implications. In South Africa, for instance, legislation had to be formulated to enhance transition from the apartheid era to the democratic dispensation where the promotion of the basic individual values had to be considered (De Groof, 2006:3).

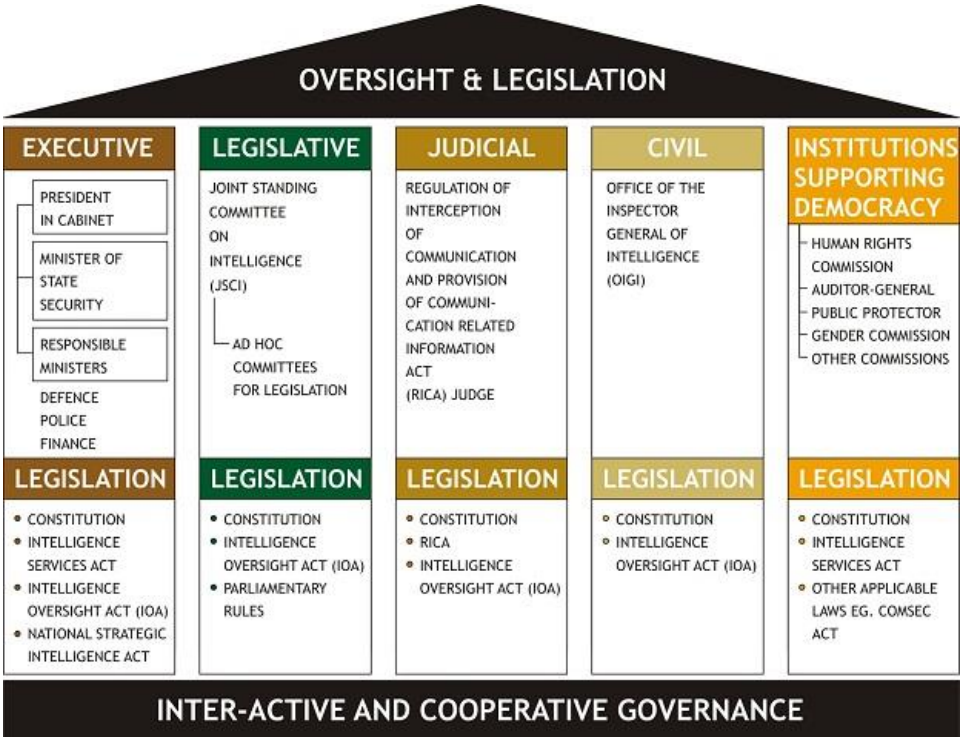
De Groof (2006:3) further argues that legislation has the social dimension of law-making which has to invest relations in society with objectivity, legal security, stability and predictability and eradicate arbitrariness, bureaucracy, the unrestrained use of power, subjectivity and irrationality. He maintains that irrespective of whether the arbitrariness stems from political, administrative or economic bureaucracy, legislation has to be applied to curb it. De Groof (2006:3) affirms Fischer et al. (1999:44) above when he asserts that the rule of man needs to be governed by the rule of law.

Accordingly, it is deduced that the reform of educational policy has to be considered as the touchstone for monitoring social developments. Implicit is that education cannot function outside the socio-economic, cultural and political context of the society it serves, and this further implies that communities, learners, parents, educators and the state are regarded as equal partners in the new democratic education system of South Africa. Thus, legislation becomes an indispensable instrument to regulate the activities of all these stakeholders including educators' labour and professional activities.

4.2.1 Forms of legislation in South Africa

Oosthuizen et al. (2009:58) aver that all forms of legislation in South Africa are subject to the Constitution due to its supremacy, but from these forms of legislation, other subordinate laws can be drawn. Table 4.1 below illustrates the forms of legislation that impact education, particularly the labour law context for educators, and also reminds us to acknowledge the supremacy of the Constitution. The accompanying illustration indicates how the provisions of the Bill of Rights in the Constitution pervade all legislation that primarily or subordinately determines the professional and labour activities of educators.

Table 4.2.1.1 also clearly illustrates the interrelationship that exists in legislation and how intertwined all legislation and legal sections thereof are. The most prominent source of legislation in South Africa is the Constitution. Though educators' conduct and activities are mainly regulated by primary legislation (original), subordinate legislation should also be taken into consideration when dealing with education matters. However, it is crucial to acknowledge that subordinate legislation carries less weight than the primary legislation when legal decisions are made. General legislation may influence and affect the actions and decisions of educators, but educators appointed in terms of the Employment of Educators Act will remain obligated to the provisions of that act. Common law cannot be ignored, but it should not contravene the Constitution. The role of common law is noticeably illustrated in the Table 4.2.1.1:



Source: Children's Amendment Act (Act No 17 of 2016) Table: 5.2.1.1

4.3 Legislation as a democratising instrument for the education system

According to the CEO of SACE, Brijraj (2010), if legislation could be utilised correctly and reinforced, it can be instrumental in democratising education. The values entrenched in the Bill of Rights must be evident in all education institutions and offices (Asmal & Wilmot, 2002:5). To paraphrase De Groof (2006:2-7), education seems to be a highly contested arena: Politicians, society and unionists all demand to have a say. Education legislation, therefore, is a convenient system to provide a regulatory framework for lending support to the democratisation of the education system. De Groof (2006:5) further states that educational conflicts are inevitable due to various stakeholders in education who have differing views. However, education legislation has developed rapidly to address and allow for educational conflicts; learners', educators' and employers' rights, parental responsibility and the intervention of the courts.

However, Jansen (2004:53) declares that the deeply entrenched resistance to the state's surveillance and control of teaching renders all attempts to regulate the profession subject to suspicion or outright rejection. According to Zengele (2009:67), the Department of Basic Education is not succeeding in addressing the failure of policy implementation at school level because it cannot deal effectively with educators'

unprofessional conduct despite the provisions for disciplinary procedures in the Employment of Educators Act and the South African Council of Educators Act. The department has its own procedures, such as recommending leave without pay, if the educator's whereabouts are unknown and dismissing educators on the grounds of absconding. However, some school managers are afraid to implement these procedures as they fear victimisation by the teacher unions (Zengele, 2009:67). In South Africa, unions such as COSATU wield power over education policy and legislation and tirelessly try to manipulate the courts, especially when their members/allies are involved (McKinley, 2006:1). Lately, according to News 24 (2010), the "left" has issued waves of public written and verbal criticism of the ANC's economic and education policies. These criticisms have occasionally been buttressed by short-term strike actions over wages, salaries, working conditions and political campaigns targeting various domestic and international issues related to government policy and institutional redress in favour of the broad working class, including educators (McKinley, 2006:1).

4.4 THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA

The Constitution of the Republic of South Africa, Act 108 of 1996 (SA, 1996a), as enacted in 1996, is the supreme law of South Africa (Section 2). Thus, any other legislation or conduct of any individual person or body which is inconsistent with it is invalid. This means that the validity of the Education Law, for instance, is determined by the Constitution. Chapter 2 of the Constitution, which contains the Bill of Rights in which the state guarantees the protection of individual's fundamental rights, has an impact on education and training as well as on education labour issues.

4.4.1 The influence of the Constitution in the field of education

There is no doubt that the Bill of Rights should have a pervasive influence on society in general and in the field of education in particular. This, according to Dlamini (2006:66), is the case because in the past, the area of education was adversely affected by policies that violated human rights. Dlamini (2006:66) declares that educators especially in black schools had no claim to either professional autonomy or accountability. Zengele (2009:57) confirms that joining a labour organisation at that time would cost educators their jobs. Mosoge (in Zengele 2009:58) contends that education in South Africa was offered in an unequal manner and "Bantu Education"

was particularly meant to further entrench the policy of separate development. This was extended to tertiary education through the creation of historically black universities which ensured that blacks were totally excluded from historically white universities (Dlamini, 2006:66). Thus, the Bill of Rights had to reverse all this by integrating institutions. Following the stipulations of the Constitution, various forms of legislation (to be discussed later in this chapter) had to be established to address, specifically, the rights provided for in the Bill of Rights.

The National Education Policy Act 27 of 1996 (SA, 1996b) was enacted mainly to redress the unpleasant education disparities, and it does make provision for the Minister of Education to determine national education policy in accordance with the Constitution. This, it is deduced, takes into account the supremacy of the Constitution as the country's law. Other education legislation has since been enacted to support the rights entrenched in the Constitution. For example, the South African Schools Act 84 of 1996 (SA, 1996c) (henceforth referred to as SASA or Schools Act) provides for compulsory education whilst the Constitution merely provides for the right to basic education (section 29).

The Schools Act further provides for the right to receive education in the language of one's own choice in any public institution where such education is feasibly practicable. Dlamini (2006:69) confirms that this provision in the Schools Act is in line with section 30 of the Constitution which stipulates that everyone has the right to use the language of his/her own choice and to participate in the cultural life thereof. The manner in which the admission requirements and policy are categorically stated in the Schools Act further clarifies the instrumental role of legislation to redress the past disparities. It is significant to note that the legal status of parents and their role in the education of their children is clarified in the Schools Act. As Zengele (2009:19) asserts, knowledge of the current legislation is crucial as it arms educators for classroom practice and would indeed enhance professional conduct.

Asmal and Wilmot (2002:5) were of the opinion that a clearly articulated value system to which everyone subscribes is lacking in our centres of learning: Educators violate fundamental rights every day in the classrooms of South African schools. Yet, Asmal and Wilmot (2002:5) asserted that the values enshrined in the Constitution are central in constructing educational professionalism.

Although many of the individual rights embodied in the Bill of Rights have an impact on educators' employment relationship, only the following sections in the Bill of Rights will be briefly discussed as they have a bearing on the development of this study:

4.4.2 Equality – Section 9

Malherbe (2008:45b) declares that the right to equality is one of the most important rights because it underpins most of the other fundamental rights in the Constitution. This implies that complete enjoyment of other fundamental rights depends on equal treatment for all. Section 9 stipulates that every person is equal before the law and has the right to equal protection and benefit of the law. The equality also protects persons against unfair discrimination by the state on grounds listed in subsection (3) *i.e.*:

The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

This section is important in schools as it challenges educators to view learners as equal to them in terms of humanity and in terms of the law. Reinforcing the equality principle through the human rights culture in schools would promote professionalism and educators would come to understand that the protective ambit of the right to equality overlaps with those of other rights (Malherbe, 2006:884). As Malherbe (2006:884) asserts, the infringement of a specific right very often also amount to a violation of the equality principle and may be challenged on the latter ground alone. When educators embark on strikes and force principals and parents to close schools; they directly deny learners equality of access to education and educational facilities. This section of the Constitution's Bill of Rights should be used to regulate unionism in favour of the learners during such strikes.

Subsection (2) relates to affirmative action which Malherbe (2008b:45) refers to as positive discrimination and is aimed at addressing persons or categories of persons previously disadvantaged by unfair discrimination. The objective of this provision, as Beckmann and Bray (2006:437) confirm, is to enable these previously disadvantaged people to achieve full and equal enjoyment of all their rights and freedoms, including labour rights. Legislation and other measures should be adapted to advance persons

or groups that were adversely affected by previous unfair discrimination (Beckmann & Bray, 2006:437). The initiative in the labour field to adopt the Employment Equity Act of 1998 and affirmative action employment policies and equity plans which illustrate how affirmative action should be addressed in the labour field is a good example.

In South African schools, there are still discriminatory practices during the recruitment of educators that compromise section 9 of the Bill of Rights. The court case of *Kimberley Girls High School v Head of Department of Education, Northern Cape Province* cited by Smit (2006:1177) is relevant to this study since the recruitment of educators is both a professional and governance matter. In this case, the knowledge of English as a subject was the most important requirement/feature/ characteristic of the requirement for the position. Though the Afrikaans-speaking candidate was also competent to teach English, by short-listing and even interviewing the Afrikaans-speaking candidate, the School Governing Body (SGB) undermined this significant requirement and also displayed inconsistency in applying their own criteria to shortlist only English first language-speaking candidates. Implicit in this case was the lack of evidence that the Afrikaans-speaking candidate had qualifications in English Home Language, as it is now called. A black applicant was not shortlisted, and this concretely spells out sheer discrimination. This case is featured here because it indicates that there was a lack of knowledge regarding some legislation by the school governing body as well as by the educators.

As stipulated in the South African Schools Act (SASA) (SA, 1996c), principals of schools are part of the School Governing Body (ex-officio), and there is also the educator component within the SGB. Furthermore, in the interest of labour peace, teacher unions should have been involved to fulfil the role of observation in the recruitment process of personnel to ascertain that the process was fair and procedural. In this case, there was no evidence of the role of unions in the contention.

The case that Smit (2006:1177) cites here is an example of inequality (section 9(2)) featuring in the case of Kimberley Girls High School v Head of Department of Education, Northern Cape Province where a vacant post for an educator for English First Language was advertised and a number of candidates had applied. Prescribed procedures pertaining to the filling of posts were followed to the letter, except that legislation (Employment Equity Act) was ignored during the short-listing process.

Consequently, the Head of Department (HOD) declined to make the appointment recommended by the School Governing Body and the matter was taken to court. Smit (2006:1178) outlines the legal issues in contention as follows:

The Department declined the recommendation based on the following:

- The School Governing Body failed to adhere to a collectively agreed upon process of giving preference to candidates disadvantaged by the injustices of the past;
- The School Governing Body overlooked the democratic values and principles referred to in section 7(1) of the Employment of Educators Act 76 of 1998 (SA, 1998).

During judgement, the court held that the Head of Department has the power to appoint educators though such powers are circumscribed by the provisions of section 6(3)(b) of the Employment of Educators Act (EEA) (SA, 1998). The Employment of Educators Act provides reasons why the Head of Department may decline the recommendation made by the School Governing Body of a public school or the council of a further education and training institution. The decision by the Head of Department was informed by and in line with the provisions under section 6(3)(b). Thus, it was justified. In the light of this, the court dismissed the application for review with costs.

It is of key importance to state that discrimination against other qualifying educators may lead to appointment of educators who may not be very strong academically. This would not only affect professional productivity but would short-change the learners.

4.4.3 Freedom of expression – Section 16

Freedom of expression protects all forms of communication. Section 16 of the Bill of Rights states that:

(1) Everyone has the right to freedom of expression which includes –

(a) freedom of the press and other media;

(b) freedom to receive or impart information or ideas;

(c) freedom of artistic creativity; (d) academic freedom and freedom of scientific research.

(2) The right in subsection (1) does not extend to –

(a) propaganda for war;

(b) incitement of imminent violence;

(c) advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm."

These aspects of the right to freedom of expression highlighted above relate to educators' professional and union activities. The four aspects under subsection (1) directly affect educators' professional inclination. For instance, education itself is, in a wide context, an artistic work (Malherbe, 2008b:56), and scientific research is crucial to sustenance of the education profession (Robertson, 1996:32). Malherbe (2008b:57) submits that freedom of expression is protected and afforded the status of a "civil right" for the following reasons:

- Speaking and expressing oneself is a natural and essential human practice and part of being human;
- Scientific, artistic or cultural progress would be unattainable if people were not free to express their ideas and discoveries;
- Freedom of expression is essential to the functioning of a democratic state.

During this era of a unionised workforce, Malherbe (2008b:57) argues that employees are free to express grievances, to criticise the employer and to contribute to peaceful progress and societal change. It is crucial to note that the right in subsection (1) is qualified by language that demarcates its scope in subsection (2). According to Malherbe (2008b:58-59), the three exceptions listed in subsection (2) limit freedom of expression. Subsection (2)(c) also refers to hate speech which, as Malherbe declares, is a restriction on the scope of freedom of expression and is also found in international human rights documents.

Freedom of expression and the curriculum

Academic freedom, according to Fischer et al. (1999:159), includes the right of educators to speak freely about their subjects, to experiment with new ideas and to select materials and methods appropriate to teaching and learning programmes. It is evident that Fischer et al. (1999:159) advocate professional autonomy or authority in

their statement above. Malherbe (2008b:59) concurs with Fischer et al. (1999:159) when he avers that education is unequivocally all about expressing, conveying and receiving information and ideas. This implies that educators should not be prohibited from expressing their views and from receiving information, unless it is harmful or can cause disruption or detrimentally affect the education process as parents and the education departments may determine. Fischer et al. (1999:159), being American authors and scholars, caution that educators must tread carefully as freedom of expression in the United States is limited when it comes to curriculum delivery. Malherbe (2008b:59), a South African author and scholar, contends that freedom of expression affects the kind of books prescribed in the school curriculum, the literature issued to learners and even the official notice boards found on school premises and campuses. Freedom of expression in the context of the school is manifested in many ways in South Africa: school magazine publications, wearing of symbolic items, dress and hairstyle (Malherbe, 2008b:60). It is crucial, for legal purposes, to comprehend symbolic as describing an action or item that expresses or seems to express an intention or feeling which has little practical influence on a situation, in this case, education.

However, Oosthuizen and Russo (2001:262) submit an alternative view, namely that educators have a responsibility to educate learners in accordance with a culture of fundamental rights (i.e. freedom of expression, including artistic creativity). Oosthuizen and Russo (2001:262) further advance their argument and declare that educators are under an obligation to protect learners against possible adverse effects of pornography. The right to freedom of expression, like any other right, is not absolute and can be limited by section 36 of the Constitution (SA, 1996a). Constitutional parameters for freedom of expression (artistic creativity) in South African schools should be drawn on the basis of the Constitution and South African educational statutes as well as international and foreign law relevant to freedom of expression (Oosthuizen & Russo, 2001:263).

In education legislation, educators' expressive rights are expected to be limited in laws such as the South African Schools Act (SASA) 84 of 1996 (SA, 1996c), Employment of Educators Act (EEA) 76 of 1998 (SA, 1998) and in the Code of Conduct contained in the South African Council of Educators Act 31 of 2000 (SA, 2000). However, a

careful scrutiny of all these laws provides no conclusive evidence of efforts to curb educators' expressive rights, whether directly or indirectly (Beckmann et al., 2008:27).

Controversial issues and academic freedom

In an effort to assert their views on academic freedom, Fischer et al. (1999:160) related a case in Montgomery, Alabama, where an educator assigned her eleventh grade class a satiric piece of literature by Kurt Vonnegut Jnr. entitled "Welcome to the Monkey House'. The following day, the educator was cautioned by the principal and the associate superintendent not to teach the story again as they perceived it as literary garbage that condoned the killing of elderly people and free sex. However, the educator concerned considered the story a good literary piece and believed that she had a professional obligation to teach it. Consequently, the educator was dismissed because she rejected the advice of her seniors and assigned "disruptive" material. The educator was duly aggrieved and viewed her dismissal as a violation of her right to academic freedom. The matter was submitted to the federal trial court.

In considering the case, Judge Johnson looked into the constitutional principles involved. Judge Johnson held that the United States Supreme Court had always emphasised that academic freedom, the right to teach, to evaluate and to experiment with new ideas is fundamental to a democratic society. The judge further asserted that the school officials could not restrict constitutional rights unless they firstly demonstrate that the forbidden conduct would materially and substantially interfere with school discipline.

Applying these principles to the case cited by Fischer et al. (1999:160), the court held that the school authorities failed to demonstrate either that the assignment was inappropriate reading for the eleventh grade or that it created a significant disruption to the education process. Therefore, the court further held that the educator's dismissal constituted an unwarranted invasion of her constitutional right to academic freedom. Consequently, she was reinstated. However, it is important to note that in the United States, freedom of expression is limited within curriculum design and delivery (Oosthuizen & Russo, 2001: 263).

Below is a case that Beckmann (2008:31) cites as an incident which provides insight into how educators' right to freedom of expression may manifest itself.

The Beeld newspaper published a report on an incident that occurred in 1999 in which an educator employed by a School Governing Body (SGB) at the Cullinan Combined School in Gauteng set a test from a passage adapted from Herman Bosman's short story, Unto Dust. To enhance learners' creative writing skills, he instructed them to write a newspaper article based on this short story. The researcher, who is an English educator, knows that in this short story, the word kaffir appears thirty-three times, and it was inevitable that the set passage would not carry it. The passage, as correctly paraphrased by Beeld, is about a white soldier and a black soldier who fought in a war and how, when they died, it became impossible to discern which bones belonged to which soldier. The educator, after attending a course on multicultural education, thought the extract presented him with a relevant opportunity to promote multicultural relations within the school. Knowing that the word *kaffir* is offensive and racist, the educator explained to the learners what the background to and context of the extract were, namely, as it is deduced, in death, the race of the soldiers was not important. Accordingly, race should be insignificant in real life.

Despite the educator's good intentions, he was dismissed by the governing body who conveyed the news in a letter delivered by the school principal. There was neither suggestion nor evidence that the necessary procedures were followed. It is deduced from this incident that an educator who used freedom to receive an idea at a developmental training course and used his freedom of expression to impart a message was punished for it as he used a politically incorrect word in the process. Beckmann (2008:32) concludes by stating that the incident seemed to make inroads into educators' freedom of expression to teach what they deem best.

It is clear from this incident that implicit trust inherent in a profession was lacking on the governing body's side. Consequently, the governing body undermined the educator's professional authority, autonomy and accountability. On reflection, it is, regrettable that this particular incident did not reach the courts of law as it would be interesting to analyse the verdict. This incident also indicates how far education is from being accorded the respect, authority and trust that should be accorded to a profession. It is notable in many instances that the right to freedom of speech does not promote professionalism as it is discouraged by the bureaucracy. However, during public servants' strikes; freedom of speech is abused through derogatory slogans and the striking public servants get away with it.

4.4.4 Labour Relations - Section 23

Section 23 of the Bill of Rights provides everyone with the right to fair labour practices. For instance, no person may be dismissed unfairly. It also protects employees and employers in their respective individual and collective labour agreements. Just like all the other rights that benefit everyone or which no-one may be denied, this section categorically allows for fair labour practices. The right to fair labour practices, according to Currie and De Waal (2005:501), has its origin in the equity jurisdiction of the industrial court established in 1979. Currie and De Waal (2005:504) further assert that labour practice must actually relate to the mutual interests of the employer and employee parties. Accordingly, it should not be extended beyond the employment relationship.

Included in the balanced package of rights of trade unions and their members in section 23(2) is the right to strike should there be an impasse. Educators, like any other workers, are covered in this section. The Interim Constitution, as Currie and De Waal (2005:513) state, balanced the right to strike with an employer's recourse to lock-out for purposes of collective bargaining. However, the final Constitution enacted in 1996 does not provide for limitation of the right to strike unless the limitation complies with section 36(1): Strikes can go beyond collective bargaining, and the Constitution clearly stipulates that *"every worker has the right to strike"*.

Rossouw (2008:84 & 2010:116) refers to section 64 of the Labour Relations Act (SA, 1995) which stipulates that employees have the right to strike if the following requirements have been met:

- The issue in dispute must have been referred to a bargaining or statutory council, or to the Commission chosen to deal with labour disputes;
- A certificate has been issued stating that the issue has not been resolved, or a period of 30 days or an agreed to extension of time has lapsed, since a council or the commission received the referral;
- In the case of a proposed strike, the employer has been given written notice at least 48 hours before the commencement of the strike;
- If the employer is the State, at least seven days' written notice has been given before the strike commences.

If all these requirements are met, the strike or lock-out is a protected one (Rossouw, 2010:116). An example cited by Rossouw (2010:116) is of a protected strike whereby 178 educators from different schools in KwaZulu-Natal refused to report at their respective schools in protest to a recurrence of crime in their district. During October 2002, according to Rossouw, the minibuses that the educators in the district used as transport for work were subjected to regular high-jacking by armed people. Following those incidences, educators took their case to the district office of the KwaZulu-Natal Department of Education. Rossouw (2010:116) asserts that if those educators had simply stayed at home, it would have been an unlawful and unprotected strike, but reporting at the offices of the department of education made the demonstration/strike legal and, thus, protected. Fischer et al. (1999:69) declare that a comprehensive law regulating educational labour relations in Illinois sets requirements similar to the one Rossouw has cited above as a prerequisite for a strike action.

Though by law educators have the right to strike, Heystek (2008:9) clarifies the fact that their right infringes upon learners' right to receive quality education. It is also significantly notable that educators' professional status is compromised because most of their labour activities are determined by generic labour legislation (Heystek, 2008:9). Heystek (2008:9) pursues this declaration as he further submits that such labour legislation is also applicable to any other worker, including unskilled labour. Zengele (2009:57) concurs with Heystek when he contends that section 29 of the same Constitution that grants educators the right to strike in section 23, advocates the learners' right to a basic education. The Constitution, as Zengele (2009:57) further argues, does not indicate whether the right of the educators should take precedence over those of the learners, or vice-versa. Heystek and Zengele depict a clear contrast between labour issues (going on strike) and professional issues (teaching learners). The right to a basic education may be jointly invoked by the government and parents to promote professionalism. Invoking the right to a basic education would certainly curtail the right to strike. Time has come for the South African government, parents and general public to protect the learners' right to a basic education; reinforced, this right would definitely trump the right to strike due to its weighting and high value.

Zengele (2009:57) avers that if education is believed to be the solution to eradicate poverty and contributory to the country's affluence, South Africans have to begin to perceive it as an essential service. Zengele's submission above is supported by, inter

alia, Smit (2010:1) as he argues that the definition of an essential service needs to be amended and extended in the Labour Relations Act in order for teaching to be declared an essential service. According to Oosthuizen et al. (2009:28), the limitation clause provides for a fair balance between the interests that are protected by each of the rights in the Bill of Rights chapter. The limitation clause is significant in the sense that it prohibits employees performing essential services from deserting their posts for the strike.

Essential services, as the Labour Relations Act (LRA) section 70(1) stipulates, have to be established by the Public Service Administration Minister after consultation with the National Economic Development and Labour Council (NEDLAC). The essential service committee has to conduct an investigation into whether or not the whole or just a part of a service could be declared an essential service. The scholarly views on this matter, however, are similar: In view of the annual civil servants strikes, education needs to be declared an essential service. Zengele (2009:57), substantiating his argument further, submits that various scholars, stakeholders in education and critics argue whether educators should have the right to strike. This debate, according to Zengele (2009:57), fuels the already existing contention whether educators are professionals or workers.

Smit (2010:1) states that it has become the South African norm annually that salary negotiations between the government and the unions reach impasse; resulting in public servants' strikes. Public servants include educators in public schools. Smit (2010:1) avers that strikes generally affect the functionality of schools. According to Smit (2010:1), during the 2010 public servants' strike the Department of Basic Education obtained a court interdict to prohibit the striking educators from intimidating non-striking educators and from disrupting schools but SADTU defied the court interdict with contempt.

Section 36 of the Constitution determines that non-fundamental rights, such as the right to strike can be limited in terms of section 23(1). In terms of section 28(2) of the Constitution the best interest of the child is of paramount importance in all matters that affect the child. Smit (2010:1) asserts that the question that should bother every stakeholder in education should be: To what extent is the striking beneficial to the learners? Khoabane (2010:2) concurred with Smit (2010:1) when she stated that

intimidation of learners in particular was uncalled for and confirms that the intimidation and violence during the 2010 public servants' strike was uncontrollable. According to Smit (2010:1), the previous public servants' strike of 2007 yielded remarkably poor grade 12 results despite the provincial education departments' efforts to minimise the impact of the strike by organising work-recovery programmes. Smit (2010:1) further argues that educators are regarded as professionals and not mere workers; accordingly, their commitment to serve their clients (learners) should be of primary concern and should outweigh their right to strike.

Section 65 of the Labour Relations Act (LRA) stipulates that persons performing an essential service or maintenance service may not strike. The definition of an essential service in terms of section 213 of the Labour Relations Act:

"Is a service which would place the life, personal safety or health of the whole population in danger if interrupted."

Parliamentary services and police services fall under essential services. According to Smit (2010:1) and Zengele (2009:57), education should be declared an essential service and the limitation clause should be applicable during public servants' strikes to limit the educators' right to strike as it infringes upon and is outweighed by the learners' right to education (section 29). Woolman and Fleisch (2009:117) view the right to basic education as very important because education, by its substantial nature is essential.

It is questionable whether the educators, in exercising their right to strike, ever consider section 28(2) of the Constitution that provides that "***a child's best interests are of paramount importance in every matter pertaining to the child***". The implication is clear: It is not in the child's best interest to be left untaught while educators roam the streets in pursuit of their own interests. Heystek (2008:2) contends that educators cannot claim professional rights if they are guilty of gross negligence such as the above. Frequent absenteeism, being late for classes, being inadequately prepared to teach and waiting for the Department of Education to provide professional development are examples of unprofessional conduct and also a betrayal of the clients' trust and that of the nation. As Oosthuizen et al. (2009:52) aver, it is significant to note that the "***child's best interests***" principle had to be accorded the most

important consideration by the Constitutional Court in the case between S v M 2007 (2) SACR 539 (CC) 52 as the court affirmed its paramount status.

4.4.5 Children - Section 28

This section relates to education as it addresses the rights of children who are the major and prime clients in educational institutions. Section 28 (2) of the Bill of Rights (SA, 1996) stipulates that a ***child's best interests are of paramount importance in every matter concerning the child.*** In many instances, educators do not take the child's best interest into consideration when they embark on strikes. Strikes are not in the best interest of the children in schools. The section is in line with the provisions of the International Convention as well as the Organisation of African Unity (OAU) on the rights of the child. Children, as stipulated in section 28(1d) (SA, 1996), need to be protected from maltreatment, neglect, abuse or degradation. When section 28 is scrutinised together with the right to privacy, human dignity and the right not to be treated or punished in a cruel, inhuman or degrading way, Malherbe (2008b:73) contends that the intensity of the debate on corporal punishment in schools is justified and is necessary.

Despite the country's legal stance regarding corporal punishment, Malherbe (2008b:73) states that it is notable that forbidding corporal punishment in schools does not augur well with some citizens who want to maintain their biblical stance that corporal punishment enhances discipline. Malherbe (2008b:73) cites the case between *Christian Education SA v Minister of Education of the Government of the RSA 1999 9 BCLR 951 (SE)* in which a Christian organisation contended that section 10 of the South African Schools Act (SASA) and section 12 of the Bill of Rights were in conflict with section 31, also found in the Bill of Rights, which allows communities to practise their religion with other members of the community. The organisation contended that a total ban of corporal punishment in schools violated their religious freedom and further submitted that they administered corporal punishment in their independent schools as a biblical directive.

Following extensive research into international, foreign and national legal sources, the High Court of the Eastern Cape held that even if it was a biblical injunction for parents to administer corporal punishment to their children, it cannot be viewed as a core religious precept that educators in schools should be empowered to administer

corporal punishment to learners. The court further held that even if sections 10 and 12 violated the religious freedom of the applicants, the infringement was not substantial enough to justify these sections being declared unconstitutional or granting the applicants an exemption from section 10 of SASA and section 12 of the Bill of Rights. Accordingly, the application failed and the appeal that followed was dismissed.

It needs to be emphasised that corporal punishment can never make educators better educators in the classroom or even enhance discipline. As Oosthuizen et al. (2009:107) assert in chapter 2 (2.4.3), the authority of educators should stem from the knowledge of the subjects they teach. This is the kind that is acknowledged as professional authority.

According to the Wits Education Policy Unit (2005: 26), the South African Council for Educators' report on the North-West Province reflects corporal punishment, which is constitutionally inadmissible, as one of the most frequent forms of misconduct committed by educators. The South African Council for Educators' Code of Conduct (section 3.5) stipulates that:

An educator avoids any form of humiliation, and refrains from any form of child abuse, physical or psychological.

Educators are expected to act in accordance with the ideals of their profession as expressed in the Code of Conduct (Oosthuizen et al., 2009:150). According to Oosthuizen et al. (2009:151), it is apparent that educators have a duty to protect and not abuse or ill-treat the learners they are entrusted with. Doing so is a breach of the Code of Conduct.

Alternative perception of corporal punishment

According to Morrel (2001:292), South African educators are unrelenting when it comes to corporal punishment. Morrel argued that this was an indication of mental laziness to devise alternative measures; consequently, corporal punishment is still practised in schools. Oosthuizen et al. (2009:33) cite the case between *Christian Education South Africa (CESA) v Minister of Education of the Government of the Republic South Africa 2000 (4) SA 757 (CC)* in which CESA appealed to the Constitutional Court against a High Court ruling.

Sachs J, on dismissing the appeal, contended that:

- In terms of section 39(2) of the Constitution of the Republic of South Africa, international law is of vital importance when interpreting our Bill of Rights. In actual fact, South Africa is bound by the international conventions it has signed. South Africa has ratified both the Convention against Torture and other Cruel, Inhuman or Degrading Treatment of 1987 and the United Nations Convention on the Rights of the Child of 1989, both of which declined corporal punishment, ensuring that children would not be subjected to violence and degrading punishment.
- The whole matter should be assessed against the background of what is to be regarded as reasonable and justifiable in an open and democratic society based on human dignity, freedom and equality. Sachs J argued that "when all these factors are weighed together, the scales come down firmly in favour of upholding the generality of the law in the face of the appellant's claim for a constitutionally compelled exemption".

Sachs' remarkably well-reasoned judgement in this case is relevant for the purposes of this study which focuses on educators' activities. As illustrated by table 2.1 in chapter 2, corporal punishment rates first in terms of educators' unprofessional actions in schools.

Violation of children's inherent dignity

Cases of unprofessional conduct that the Department of Education in the North-West Province frequently handles include use of corporal punishment (2009:147) submit that educators as professionals have to practise their profession with a high degree of skill and care. The law, as Oosthuizen et al. (2009:147) contend, views an educator as a person with reasonable expertise. Accordingly, he/she should comprehend precisely that by law, corporal punishment is abolished. Corporal punishment in schools is unconstitutional because it harms and degrades learners. In terms of the South African Schools Act (SA, 1996c), corporal punishment is illegal and forbidden in schools, and according to the South African Council of Educators Act 31 of 2000 (SA, 2000), it is a very serious breach of the Code of Conduct. The Code of Conduct contained in the SACE Act cautions to exercise authority with compassion and to respect the learners' dignity. Administering corporal punishment is unprofessional conduct, and it reflects the educators' lack of humanity and self-control (Bertram et al.,

2002:115) as it dispossesses the learners of their inherent dignity and is degrading as well (SA, 1996: section 12(1)(e) (SA, 1996A).

4.4.6 Children's right to a basic education – Section 29

Clearly, this right is not for educators but for learners. It is discussed in this study because it is viewed as important that educators should not infringe upon this right as they execute their professional duties and engage in their labour activities. Zengele (2009:56) contends that the Constitution is contradictory in granting educators the right to strike and simultaneously granting the learners the right to basic education.

Zengele's argument is based on the fact that children in public schools are predominantly minors placed in the care of educators. The Constitution, Zengele (2009:56) contends, should have made provisions for care for children in public schools whilst granting educators the right to strike. The Labour Relations Act, which is a generic law, provides for the educators' right to strike, also without taking into consideration the learners' right to basic education. The Employment of Educators Act (SA, 1998) in terms of which educators are employed, is silent on the educators' right to strike as well as the learners' right to basic education. In essence, legislation is found deficient regarding section 29.

Educators are expected to carry out their duty of care at all times during school terms. It is, therefore, a dereliction of duties to desert learners during a strike by leaving them unattended to (Malala, 2007:9). Professionally matured and committed educators would not choose to infringe upon the children's right to a basic education; they would rather relent on their right to strike. Education, by its very nature, is a mechanism for empowerment. Thus, educators have no right to deny learners their right to education. According to Woolman and Fleisch (2009:117), education is both a human right and an indispensable means of enabling people to realise other rights. Education is, therefore, an empowerment right and a primary vehicle by which economically and socially marginalised adults and children can rid themselves of abject poverty.

4.4.7 Just administrative action – Section 33

Section 33 stipulates that every person is entitled to administrative action that is lawful, reasonable and procedurally fair. Beckmann and Bray (2006:437) submit that for employment relations, section 33 implies that the employer (that is the Head of

Department, the public school and any other employer) in an authoritative position must act in a lawful, reasonable and procedurally fair manner in the employment relationship, that is disciplining, suspending or dismissing educators. Educators are also entitled to written reasons when their labour rights have been affected, for instance in cases of suspension or dismissal. As stipulated in subsection (3)(a), national legislation, namely the Promotion of Administrative Justice Act (3 of 2000) (PAJA), was enacted to give effect to this right in all spheres where administrative action is being exercised, and this should benefit the employment relationship greatly.

Section 33 of the Constitution is consolidated by the Promotion of Administrative Justice Act which is meant to give effect to administrative action that is lawful, reasonable and procedurally fair (Oosthuizen et al., 2009:54). According to Oosthuizen et al. (2009:54), prior to the inclusion of section 33 in the interim Constitution, South African administrative law constituted common law rules. Oosthuizen et al. (2009:54) further declare that common law rules were not fundamentally established by legislation but were created with reference to customary law and decisions by competent courts. It is important to acknowledge that common law rules are still relevant if they do not in any way contravene the provisions of the Constitution.

According to Oosthuizen et al. (2009:54-55), the following acts would be classified as administrative acts in the education context in terms of the Constitution, common law and the Promotion of Administrative Justice Act:

- Decisions of the national or provincial departments of education, made in terms of legislation, that adversely affect educators, for example transfers to other schools;
- Decisions of the national or provincial departments of education, made in terms of legislation, that adversely affect a school or its governing body;
- Decisions of educational managers that adversely affect educators, for example instituting disciplinary action against an educator who has misbehaved at work;
- Decisions of educational managers or educators that adversely affect the learners, for example the implementation of school rules;

- Decisions of governing bodies that affect learners or educators, for example the drafting of new school rules.

Oosthuizen et al. (2009:55) aver that the decision making referred to above binds the decision maker to abide by the provisions that authorise him or her to take such decision or action in a particular manner, and he/she is also bound by the provisions of section 33 of the Constitution and Promotion of Administrative Justice Act. A procedural process must be adhered to when taking an administrative action. Following legislation, should any party be aggrieved by an administration decision taken against him or her that party can apply for judicial review as provided in the Promotion of Administrative Justice Act which owes its existence to section 33 of the Constitution (Oosthuizen et al., 2009:55).

The Promotion of Administrative Justice Act also regulates the right to written reasons for administrative action as contemplated in section 33. Malherbe (2008b:91) states that this kind of legislation compels government officials, organs of state and institutions vested with authority to refrain from abusing their discretionary powers in their actions against individuals. According to Malherbe (2008b:91), people with authority often act ultra vires (outside the scope of authority). It, therefore, suffices to say that for administrative action to be carried out legally, it must comply with the relevant stipulations of the Constitution, Promotion of Administrative Justice Act, common law and case law.

Though administrative justice requires that a person be furnished with written reasons substantiating an administrative action, it is important to assess exactly what constitutes adequate reasons as the action taken should correlate with the reasons furnished. The decision taken must be based on objective facts and circumstances. It stands to reason that the gravity of the administrative action should determine the degree of particularity required in the reasons furnished: The more drastic the action taken, the more detailed the reasons should be. The Promotion of Administrative Justice Act regulates what the following should entail:

- Procedurally fair administrative action affecting any person;
- Administrative action affecting the public;
- Reasons for administrative action;
- Judicial review of administrative action;

- Procedure for judicial review;
- Time variations;
- Regulations.

These factors have a major influence in dealing with cases whereby the administrative actions of employers are viewed as an infringement upon an employee's right. The person aggrieved by an administrative action could be assisted through consideration of these guidelines towards reaching a procedurally fair conclusion to the matter in contention. As in the case discussed in the paragraph below, sometimes it is the public that could be adversely affected by administrative injustice. It is imperative that the reasons for the administrative action taken against anyone should be tangible enough to institute such an action. However, Oosthuizen *et al.* (2009:55) confirm that there is a remedy available to the aggrieved party if he/she is not satisfied with the administrative action taken against him/her. The judicial review process focuses on the procedure that was followed, as well as substance and not the correctness or the wrongness of the decision reached.

Among many court cases that involve administrative injustice, the case between the *Centre for Child Law v the MEC for Education – Gauteng 2008 (1) SA 223(1)* is an example. The main dispute in this case was the conditions at JW Luckhoff High School, a school of industry, which the first applicant alleged infringed the school children's constitutional rights. The first applicant's (Centre for Child Law at the University of Pretoria) main concerns were the following:

- Poor physical conditions at the children's hostels/residences;
- Lack of access control which led to children selling their clothes and buying drugs from outsiders;
- Absence of proper psychological support and therapeutic services at the school.

The first applicant contended that the conditions at the school infringed upon the children's rights guaranteed by section 28 of the Bill of Rights, as well as the right to human dignity (section 10) and the right not to be subjected to cruel, inhuman or degrading treatment (section 12). The first applicant also argued that the nature of any school of industry is such that the state should be in a position to provide care better than the parents could and to rehabilitate the children in a secure and controlled

environment. According to the first applicant, children's basic needs, such as the provision of sleeping bags, were not satisfied. Correspondence and other documentary evidence revealed that attempts by the principal of the school to address those problems had, over six years, been met with bureaucratic silence and inertia. In addition to the redress of the problems, the first applicant required that with all the concerns raised above, the Member of the Executive Council (MEC) for Education in Gauteng (the first respondent) be directed by the court to make immediate arrangements for the school to be subjected to a developmental quality assurance process.

Murphy J expressed concern about the bureaucratic prevarication and unnecessary defence of litigation against the department of education which utilised resources that could be used better elsewhere. The court further contended that the authorities, the MEC and the second respondents (the school board) contravened the Constitution and the provisions in the Child Care Act of 1983 in terms of which children are sent to such schools. Though the respondents did not dispute the first applicant's account, their defence leaned on budgetary constraints. Murphy J surmised that the state could afford an estimated amount of R30 000 – R70 000 for the two industrial schools in Gauteng, each housing 38 and 111 children respectively. The court further surmised that the estimated amounts would be less than the amount spent by the respondents in defending the litigation. In conclusion, the court held that budgetary implications ought not to compromise the justification of the children's rights and further held and ordered that:

- The practices and living conditions at JW Luckhoff High School violated section 28 (1 and 2), section 10 and section 12 of the Constitution;
- The state had shirked from its responsibility;
- By the very nature of the institution, a school of industry must be secure, and access to and exit from it should be carefully monitored and controlled;
- The state had, thus, reneged on the constitutional promise of protection and, in the process, the children's trust was betrayed as a state institution could not protect them;
- The prayer for relief made by applicants was eminently reasonable and the applicants were entitled to the order they made, that is provision of sleeping bags and arrangements for developmental quality assurance;

- The first respondent was directed to devise plans for perimeter and access control at the school and to provide written information pertaining to such plans by the 31 July 2006 to the court and the applicants;
- The court would retain a supervisory role to ensure progress in the implementation of these changes.

The Gauteng Department of Education lost the case with costs. In view of the law, the reasons furnished by the Centre for Child Law were sound against the MEC's arguments that held no water and were less meritorious. The administrative action of the Gauteng Department of Education (GDE) was unjust, unreasonable and procedurally unfair and, most importantly, contravened provisions of the Constitution and of PAJA. Such maladministration acts occur frequently in all the provinces, resulting in learners and educators being adversely affected (Manuel, 2011b:2). Maladministration acts constitute unprofessional conduct.

4.4.8 Limitation of rights – Section 36

It is of key importance to note that the fundamental rights, as entrenched in the Bill of Rights, are not absolute (Rossouw, 2010:27). According to Rossouw (2010:27) and Oosthuizen et al. (2009:28), rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is reasonable and justifiable in a transparent and democratic society based on human dignity, equality and freedom (SA, 1996). It is also of key importance to take into account all the relevant factors that contribute towards successful limitation of a right or the failure thereof. Such factors include the following:

- The nature of the right;
- The significance of the purpose of the limitation;
- The nature and extent of the limitation;
- The relation between the limitation and its purpose;
- Less restrictive means to achieve the purpose.

Beckmann and Bray (2006:438) assert that rights (including fundamental rights) may be limited by the rights and interests of the other party in a particular relationship or when the public interest demands it. This often happens in situations where competing or conflicting rights have to be weighed up and balanced. For instance, the equality

right or employment rights of educators could be limited in circumstances where such a limitation would be reasonable and justifiable. Beckmann and Bray (2006:438) cite an example of a dismissal which, without doubt, affects the educator's right to practise a profession and earn remuneration for his/her execution of duties. The act of dismissal, which is the limitation, must be reasonable and justifiable under the circumstances.

The limitation clause, as it is often referred to, deals with justifiable infringements of rights (Currie & De Waal, 2005:164). When an infringement is justifiable in accordance with the criteria in section 36, it then is constitutionally valid. Currie and De Waal (2005:164) contend that rights cannot simply be overridden: The reasons for limiting any right need to be exceptionally tangible, and appropriate evidence must be produced to justify a limitation of a right in accordance with the criteria laid down in this section. A law that restricts any fundamental right must not invade rights any further than it needs to in order to achieve its purpose (Currie & De Waal, 2005:164).

It should be taken into consideration that the Bill of Rights contains numerous demarcations, namely most rights are qualified by language that specifically demarcates their scope. For instance, section 17 as cited by Currie and De Waal (2005:186) states that a person has the right to assemble, demonstrate and present petitions but only if it is done peacefully and unarmed. The last three words qualify (limit) the extent and scope of this right (Malherbe, 2008a:48). It is crucial to note that these words are part of the definition of the right and not really a limitation, though the limiting connotation of these words could be evoked by a contradictory action. An example relevant here is cited in the Khutsong report (DoE, 2007:6) whereby educators' right to assemble, demonstrate and present petition had to be limited as violence and vandalism broke out at the Dr Kenneth Kaunda District Education offices where the educators had taken their issues.

It is important to note that even the right to strike can be limited if, for instance, learners are due to start their final external examinations or the duration of the industrial strike will impact negatively on learners' education. As Zengele (2009:57) contends, the learners' right to education outweighs the educators' right to strike. Accordingly, educators' right to strike infringes upon the learners' right to learn and must be limited (Zengele, 2009:57). The implication here is that the right to strike is important though

the nature of the human right in question (the learners' right to basic education) is more significant. Malherbe (2008a:48) submits that the purpose, nature and extent of the limitation must be reasonable and justifiable.

The limitation of rights clause; pre-embedded in the Labour Relations Act (SA, 1995) and as interpreted by Rossouw (2010:27), may prohibit persons from participating in a strike if:

- A collective agreement prohibits the strike and the persons concerned are bound by the agreement;
- There is an agreement that requires the issues in dispute to be referred to arbitration;
- The issue in dispute is one that a party is entitled to refer for arbitration to the labour court;
- The persons are engaged in an essential service or a maintenance service;
- The persons are bound by an arbitration award or collective agreement that regulates the issue in dispute;
- Persons are bound by a determination made by the Minister of Labour that regulates the issue in dispute;
- Persons are bound by a wage determination as made in terms of the Wage Act (5 of 1957) which has not been in force for more than one year.

4.4.9 Interpretation of Bill of Rights – Section 39

In interpreting educators' employment relationship, section 39 places an obligation on the court, tribunal or forum to promote the values that underlie an open and democratic society based on human dignity, equality and freedom. It is notable in Hancke J's judgement in Moletsane v Premier of the Free State that the courts indeed take this obligation seriously as the judge ordered that the matter be heard (openly and democratically) as a matter of urgency and that clarity of the administrative action be given in terms of common law. The educator's dignity in this case was put at stake, and her freedom to practise her profession freely was curtailed.

The major reason why the Bill of Rights needs interpretation is to ascertain the meaning of a provision in the Bill of Rights in order to establish whether the law or

conduct is inconsistent with that provision (Currie & De Waal, 2005:145). Currie and De Waal (2005:145) confirm that interpretation involves two enquiries, namely:

- The meaning or scope of a right must be determined;
- It must also be determined whether the challenged law or conduct conflicts with the right.

Currie and De Waal (2005:146) further contend that the meaning of a constitutional provision depends on the manner in which it has been used. It is crucial, therefore, to acknowledge that constitutional interpretation to a large extend is about establishing the context within which a particular constitutional provision must be given (Currie & De Waal, 2005:146). All constitutional rights that have an influence on education, therefore, need to be interpreted correctly as they may enhance professionalism, regulate unionism and even curtail the right to strike.

4.5 THE NATIONAL EDUCATION POLICY ACT (NEPA)

This is the core of parliamentary education legislation that is meant to facilitate the democratic transformation of the national system of education into one that serves the needs and interests of all the people of South Africa and upholds their fundamental rights. The National Education Policy Act (SA, 1996b), as determined by the Minister of Education, is in accordance with the Constitution of the Republic of South Africa. Thus, it is incumbent upon all persons involved in education to be well conversant with this act.

The policy contemplated in section 3 of the National Education Policy Act (SA, 1996b) aims to advance and protect the fundamental rights of every person guaranteed in terms of Chapter 2 of the Constitution and international conventions ratified by Parliament. Section 5 and section 6 (SA, 1996b) have an impact on the organised teaching profession. According to these sections, consulting on national education policy and legislation is crucial. All the stakeholders in education must be consulted on matters pertaining to policy as this alleviates intolerance and disputes between the state and other stakeholders (Mweli, 2004).

NEPA also deals with monitoring and evaluating personnel. Monitoring and evaluating education provision (SA, 1996b) is a legalised process that is meant to raise the standard of education and both educator and learner performance without any hitches.

The developmental appraisal system which was initially the first instrument designed to evaluate educators' performance was found lacking in some aspects. An agreement was then reached in the Education Labour Relations Council (Resolution 8 of 2003) to integrate the existing programmes on quality management in education. The existing programmes were the developmental appraisal system, performance measurement system and whole-school evaluation. The integrated quality management systems (IQMS), which encompasses the developmental appraisal system, performance measurement system and whole-school evaluation, is informed by the Employment of Educators Act 76 of 1998 (SA, 1998) where the Minister of Education is required to determine performance standards for educators in terms of which their performance is to be evaluated. IQMS is an effort by the employer to further professionalise education and enhance academic performance and productivity (Mweli, 2004).

4.6 THE SOUTH AFRICAN COUNCIL OF EDUCATORS (SACE) ACT

The establishment of the South African Council for Educators (SACE) in 1997 by the post-apartheid government signalled recognition of educators as autonomous professionals who are able to decide on the nature of their work (Wits Education Policy Unit, 2005:28). The South African Council for Educators has three main responsibilities, namely professionalisation, registration and regulation of educators through the enforcement of a Code of Conduct contained in the South African Council of Educators (SACE) Act 31 of 2000 (SA, 2000). The preamble of the Code of Conduct (section 2) states that educators should behave in a proper and acceptable manner such that their behaviour does not bring the teaching profession into disrepute. Section 3 of the Code of Conduct deals mainly with the educators' conduct with regard to learners. Educators have an obligation to perform their professional duties without negligence or indolence. According to Mokgalane (2001:12), the South African Council for Educators seems to have focussed more on registration as opposed to the professional developmental role whereas development, Mokgalane further contends, should be its main priority. However, there is a general agreement about the fact that the establishment of the South African Council for Educators has certainly contributed towards the reprofessionalisation of education (Wits Education Policy Unit, 2005:28). The promulgation of the SACE Act (SA, 2000) is a juristic evidence of the efforts made

to re-professionalise education. The SACE Act has added a legal status to the South African Council for Educators (SACE).

Jansen (2004:55) argues that the effort to professionalise education is contradicted by some of the policies which seek to increase bureaucratic accountability as opposed to professional accountability. Jansen (2004:55) takes his argument further when he states that it is unacceptable for the state to expect any form of accountability from educators without backing it up with support and development. The role of the South African Council for Educators has not been as vigorous as it should be to fill in the gaps (Jansen, 2004:56). The Wits Education Policy Unit (2005:29) submits that there is a belief by educators, teachers' organisations and experts in education matters that the South African Council for Educators could do more to professionalise education. Lack of capacity has been identified as one of the obstacles that impact negatively on the South African Council for Educators' contributions, the Chief Executive Officer (CEO) of the South African Council for Educators (2005) asserted in a conference. Gardiner and Diltiens (2002:11) point out that the South African Council for Educators employs only four people in its professional development unit. Consequently, most cases and educators' developmental needs that are referred to the council are not attended to.

When it comes to matters of professionalism, the Chief Director of Quality Assurance in the North-West Department of Education, Dr Molale (2008), concurred with the Wits Education Policy Unit that the South African Council for Educators has in the past conceptualised its role wrongly as it saw itself as a service provider to educators, in as far as it ran professional development workshops for educators instead of seeing itself as regulating such programmes. Following the enactment of the SACE Act, its conception is changing as it now aims to enhance the status of the teaching profession and to promote the development of educators and their professional conduct. The Code of Conduct is unexceptional, and its disciplinary structures and procedures are in accordance with the Labour Relations Act (Gardiner & Diltiens, 2002:11).

4.7 THE EMPLOYMENT OF EDUCATORS ACT

This act was enacted in parliament for the sole purpose of providing for the employment of educators by the state as well as for the regulation of educators' service conditions, discipline, retirement and discharge and for matters connected to these.

The act is, by nature, supposed to be the watchdog ensuring that educators do what is expected of them and guarding against unprofessional conduct. Chapter 3 of the Employment of Educators Act clarifies the powers of employers, being the Minister of Education, the Director-General and the Head of Department. It deals mainly with procedures that should be followed in executing the administrative duties listed below:

- Appointments and filling of posts;
- Conversion of temporary employment to permanent employment;
- Transfer of educators;
- Promotions;
- Secondment of educators.

The list of duties above will be discussed later under this heading. All the above may affect the educators' lives either positively or negatively. It is imperative to note that educators employed by the state are bound by the provisions of the Employment Educations Act and, accordingly, they remain subject to such provisions.

Beckmann and Bray (2006:430) contend that the employment relationship between two parties, the employer and the employee, is a legal relationship. This employment relationship, as Beckmann and Bray (2006:430) assert in their argument, is a public law/labour law relationship of authority in which the employer exercises authority over the employee. Beckmann and Bray (2006:430) support Joubert and Prinsloo (2001:22) when they describe the relationship as a vertical relationship. However, Beckmann and Bray (2006:430) acknowledge the different rights and obligations that flow from an employment relationship. For example, the employee has rights in terms of the services he/she renders – a right to remuneration and a right to leave benefits – whilst the employer also has rights in terms of the services he/she receives – a right to have work agreed upon performed. In addition, the employee has the right to strike, and the employer has the right to lock out.

It is significantly notable that the educators' employment relations in South Africa have become considerably unionised which causes the employment relationship to be comprised of both individual and collective labour law. It is inevitable then to ignore the interrelationship that exists between the various forms of legislation. However, Zengele (2009:56) contends that the emphasis in education is that educators are employed in terms of the Employment of Educators (EEA) Act 76 of 1998 (SA, 1998);

accordingly, the provisions of the EEA take precedence over labour legislation that generally applies to all South African citizens. Based on Zengele' s and other scholars' submissions, it is deduced that policy documents do not in themselves constitute law, but they should be perceived as executive documents that outline policy plans and action plans for implementation.

4.7.1 The appointment of educators

Section 4(1) of the Employment of Educators Act states that the Minister of Education determines salaries and educators' conditions of service. Educators' appointments remain the responsibility of the Head of Department (HOD) of every province. Such appointments may only be made on recommendation by the School Governing Body (SGB). Educators in excess may only be identified by the Head of Department. Since the principal is the legal representative of the Head of Department at school level (section 6(3a)), this becomes his/her responsibility.

Section 6(3b) allows the Head of Department to decline the nomination of the SGB if the correct and fair procedures have not been followed or if the candidate does not meet the requirements for the post as determined by the Minister. It should be noted that this process of declining nominations may take a long time and may have a negative impact on teaching and learning. Furthermore, the amendment of the above sections of the Employment of Educators Act in 2006 (Education Law and Policy Handbook) gives the Head of Department the powers to overrule the recommendations and order of preference of candidates for appointment.

This is perceived as bureaucratic manipulation of the legislation and disempowerment of the SGB, as well as a futile exercise since the Head of Department is not expected to be well informed about the suitability of candidates for the advertised posts. In an ideal situation, the best decision should rest with the stakeholders at school level without contravening the Employment of Educators Act. Lately, there has been a plethora of cases pertaining to the provincial Heads of Department's disregard of SGB recommendations after interviewing candidates. This raises the question as to whether the Department of Education is committed to advancing transformation through legislation and parents' involvement in education. Section 195(1) of the Constitution states categorically that the filling of new posts and redeployment should be guided by:

- The ability of the candidate;
- The need to address the imbalances of the past in order to achieve broad representation.

In essence, to promote professionalism, the candidate must be suitably qualified for the post applied for and considerations should ensure that candidates cover broad representation of women, disabled people and the previously marginalised racial groups.

4.7.2 The redeployment of educators

With the integration of the education system, a new challenge arose whereby the influx into well-resourced schools left township schools with staggering learner numbers. This led to the process of redeployment, alternatively known as rightsizing, determined in the Education Labour Relations Council (ELRC). The redeployment of educators is a process aimed at posting educators to schools where their expertise is needed most. Schools which have low learner enrolments have to follow the agreed upon procedures when transferring or redeploying educators.

In terms of the Employment of Educators Act's Resolution 6 of 1998 section 2.4, operational requirements should be limited to:

- A change in learner enrolment;
- Curriculum changes;
- A change in the grading of the particular school;
- Financial constraints.

The implication here is that a negative change in learner enrolment may result in an educator's post being declared in excess whilst a positive change in learner enrolment may add another post to the post establishment of the school. However, the change must be significant to cause a loss of or an addition of a post. This is calculated at an educator-learner ratio of 1:30 in secondary schools. A school, as a juristic person, may decide to extend/replace or limit the curriculum by one subject due to financial constraints. However, whether there is a limitation or an extension, it affects the process of redeployment. It must be noted that a school could be upgraded or downgraded due to learner enrolment; this process also has both a negative and a

positive impact on the placement of educators. The process of redeployment is a life-changing factor in educators' professional lives and it is not popular.

Paragraph 2 of the Employment of Educators Act's Resolution 6 of 1998 states that procedures have to be in place for the rationalisation or redeployment of educators, and educators in excess should not be declared redundant, resulting in their retrenchment. According to this Resolution, the redeployment process was supposed to start on 5 February 1999 and be completed by 30 June 1999. To date, the process is still on-going although the original provisions were amended by Resolution 2 of 2003. In 2005, SADTU (www.sadtu.org.za) referred to the redeployment of educators as a good policy that has been poorly administered by the bureaucracy of the Department of Education. Zengele (2009:56) argues that the implementation of this policy at school level is done incorrectly. Zengele (2009:56) substantiates his argument by stating that his qualitative study found that some managers use the policy to get rid of educators who:

- Are perceived as incompetent;
- Seem to be advocating progressive change in schools that resist democratic ideals;
- Are suspected to be terminally ill due to HIV/AIDS;
- Lack commitment and are professionally unproductive.

The list above is evident of the negativity that is associated with the process of redeployment. As Zengele (2009:56) contends, this process is bureaucratically abused by the departmental officials and principals; and teacher unions follow suit.

In concluding the above matter, it is important to note that due to the realisation by educators and the SGBs of the significant role of legislation in education, there has been a plethora of litigation elicited by maladministration of appointments and the redeployment/transfer of educators. In the interest of all stakeholders in education, the courts are making a major contribution to the process of refining the basic rights within the realm of education. This study, therefore, has to determine the stakeholders' knowledge and raise awareness of legislation that is instrumental in regulating the education fraternity.

4.7.3 The Personnel Administration Measures

The PAM document states that the principles of fairness, justice and generally accepted principles relating to the recruitment of educators have to be taken into account when the processes involved in recruitment are carried out. The following are the processes involved in the recruitment of educators: advertising, sifting, shortlisting, interviewing, recommending and ultimately, appointing.

The department is responsible for advertising posts as informed by vacancy lists from schools and also has to do the sifting process before the applications are sent to schools. Section 3.3(b) indicates that the short-listing and interview committee should be comprised of:

- One departmental representative who may be the principal sitting in as an observer and resource person (this person must have all the relevant information about the process);
- The school principal, if he/she is not the applicant;
- School Governing Body members, except the educator component in the School Governing Body who are applicants;
- One union representative per union that is represented at the Education Labour Relations Council (ELRC) (union members sit only as observers).

It is worth mentioning, though, that Schwella *et al*. (1996:41-42) are convinced that in education, recruitment is hampered by the package associated with a position and attitudes relating to public employment. They contend that the attractiveness of a post's package (remuneration, fringe benefits, working conditions, opportunity for promotion and potential job satisfaction) and not the sophistication of recruitment methods guarantee a successful recruitment campaign in the long run. The implication here is that if the package offered by the teaching profession is inferior to similar positions in the private sector, the educational sector will not recruit the best possible candidates.

According to Schwella *et al*. (1996:41-42), the attitudes of the general public regarding public employment affect the recruitment of candidates with potential. Schwella et al. (1996:42) pursue their argument and submit that some people view the education field as desirable, while others do not prefer it due to real or perceived discrimination,

teacher unions' identification with political parties and new policies. The attitudes of the general public are mainly formed by what they see and hear in the mass media: Strikes and negative articles in newspapers or on television regarding education contribute to the negative attitudes the general public has of the teaching profession.

Time-off

Chapter G section 3.1 of Employment Educators Act provides for time-off to be given to educators who serve in teacher unions as office bearers and who have to attend union-related meetings at provincial and national levels for collective bargaining purposes. They may also take reasonable time-off to prepare for such meetings. The proviso is that there must have been communication between the union and the employer. Section 3.2 allows union representatives to represent members during disciplinary hearings, grievances and dispute resolution hearings, including redeployments and dismissals. Measures contained in the Personnel Administration Measures document are based on the acknowledgement of the labour rights entrenched in the Constitution of the Republic of South Africa, Act 108 of 1996 (SA, 1996a) and the Labour Relations Act 66 of 1995 (LRA) (SA, 1995) as well as those espoused by the Education Labour Relations Council (ELRC) which seeks to promote labour peace.

However, time-off should neither disrupt the process of teaching and learning nor affect levels of productivity in schools. It is stipulated in the Personnel Administration Measures document that arrangements for time-off should not compromise the integrity of the education system and must take into consideration the constitutional rights of the child to receive quality education. This, according to Zengele (2009:57), is another area of policy that continues to deprive learners of valuable contact teaching time. According to Zengele (2009:57), there is an existing belief that the effective participation of unionists tends to ascertain that no stone is left unturned when dealing with crucial sections of the Employment of Educators Act.

The time-off policy aimed at allowing union office bearers time to attend to hearings is viewed as an indication that the employer is willing to waste teaching and learning time rather than to employ mechanisms to maximise quality teaching and learning time. This can further be interpreted as an admission of guilt by the Department of Education that it cowers where unions are involved, and this adversely affects policy

implementation at school level. This refers back to Zengele's argument earlier that section 23(2) of the Constitution which provides for the right to strike is contrary to section 29 of the same Constitution that advocates the right to education. It also refers back to the contention of Oosthuizen et al. (2009:52) that section 23(2) is contrary to section 28(2) of the Constitution, namely that ***"a child's best interests are of paramount importance in every matter pertaining to the child".***

Conditions of service

The Personnel Administration Measures (PAM) constitutes an integral part of educators' conditions of service as stipulated in the Employment of Educators Act. The scope of applicability covers institution/school-based educators, technical colleges and colleges of education. The Personnel Administration Measures document also regulates educator post establishment and post levels. The number of learners plays a major role in determining how many posts should be provided per school as well as the different post levels. The workload of school-based educators is also outlined in the Personnel Administration Measures document as well as the duties and responsibilities of educators assigned to different post levels. It is important to note that this is yet another contested policy area between the teacher unions and the employer since unions are always fighting for improvements in the conditions of service.

A relative value is attached to an education qualification in accordance with the measures set out in the Personnel Administration Measures (PAM) document. The number of recognised prescribed full-time professional or academic years of study at any approved university, university of technology or college of education determines the Relative Education Qualification Value (REQV). For example, the minimum requirement for a new entrant into the education system is a relative education qualification value (REQV) 13 qualification which must include appropriate educator training. The document also gives guidance pertaining to the determination of salaries: taking into consideration the educator's educational qualifications (in other words, the relative education qualification value), experience and rank or post level.

The Personnel Administration Measures document also provides clarity on payment of allowances to educators who perform supervisory duties at hostels and to educators

who perform exam-related duties. It also stipulates and gives clarity on travel allowances.

Secondment of educators

In recognition of expertise and skills, sometimes, the employer moves educators temporarily to a particular post to perform special duties within the organisation. Employee organisations are also entitled to have educators seconded to organisations registered with the Education Labour Relations Council to take up fulltime positions through elections. Payment in respect of seconded educators is arranged by the employer or employee organisation concerned.

The grievance procedure

If an educator is aggrieved regarding, for example, his/her service conditions, allocation of work, promotions, et cetera, it is possible to address such by making use of the grievance procedure. Being employed in terms of the Employment of Educators Act, educators are subject to the grievance procedure contained in Chapter H of the document.

The grievance procedure requires that an educator must lodge a formal written grievance within a reasonable period of time but, in any event, not later than 90 calendar days following on the time and date on which the alleged grievance occurred. The objective of the grievance procedure is to try and resolve a complaint at personal level, as close to the source of the complaint as possible and as quickly as possible. This should be done in order to prevent the grievance turning into a dispute or a serious conflict that could harm the smooth functioning of the institution.

In the case where a grievance cannot be resolved as described above and where it is consequently registered as a dispute in terms of the Education Labour Relations Council, such registered dispute can be dealt with in terms of the dispute resolution procedures as set out in the Personnel Administration Measures document.

Termination of services

- Retirement;
- Discharge of educators due to abolition of post or misrepresentation;
- Discharge of educators on account of ill-health;

- Discharge due to abscondment;
- Discharge of educators appointed on probation;
- Resignations.

In such cases as listed above, educators are struck-off the register kept by the South African Council for Educators (SACE). By implication, a relationship exists between the South African Council for Educators and the Employment of Educators Act. Although the educators' professional relationship with the South African Council for Education is distinguished from their employment relationship with the Head of Department, these relationships have a mutual influence on each other. Therefore, records of disciplinary procedures and sanctions thereof must be forwarded to the South African Council for Educators.

Incapacity and misconduct

Incapacity and misconduct are dealt with elaborately in Chapter 5 of the Employment of Educators Act. If it is alleged that if an educator is unfit for the duties attached to the educator's post or incapable of carrying out those duties efficiently, the employer will assess the educator's capacity and may take action against the educator in accordance with the incapacity code and procedures for poor work performances as provided in Schedule 1 (Section 16 substituted by section 9 of Act 53 of 2000).

Section 17 (substituted by section 10 of Act 53 of 2000) clarifies serious misconduct which directly leads to dismissal. If it is alleged that an educator has committed serious misconduct as contemplated in subsection (1), the employer has to institute disciplinary proceedings in accordance with the disciplinary code and procedures provided for in Schedule 2. The disciplinary code and procedures for educators outline the purpose and scope, principles and Code of Good Practice as contained in Schedule 8 of the Labour Relations Act 66 of 1995 (SA, 1995). The Code of Good Practice gives clear details pertaining to disciplinary procedures for less serious misconduct, sanctions, issuing notices of enquiry, conducting disciplinary hearings, suspensions and appeals.

Types of misconduct that do not warrant dismissal are dealt with in section 18. Section 25 of Employment of Educators Act allows educators charged with misconduct to appeal against whatever decision taken or sanction imposed by the employer. This reflects the democratic element of the act as expected and is in accordance with the

supreme law of the country; the Constitution. Procedures laid down in Schedule 2 must be followed when an appeal is lodged. Generally, the Employment of Educators Act (Chapter 7) addresses other issues such as performance of other work by educators (for example marking external examination scripts), offences and penalties, regulations and assignment of functions. Offences are categorised under sections 17 and 18 according to their seriousness, and penalties thereof are adapted to the nature of the offence.

It can be deduced from the provisions of Employment of Educators Act that acquaintance with the act is vital as it can either be a lifeline if interpreted correctly and comprehended well or signify the demise of the educator's professional life if misunderstood and ignored. If followed, the act could be a good guiding companion to an educator, yet if contravened it can become an educator's worst foe. It must be realised that the provisions of the Employment of Educators Act which specifically regulate educators' employment may even take precedence over labour legislation that generally applies to all employment relationships in South Africa (Beckmann & Bray, 2006:343).

The education leave measures

According to the Regulations regarding the Terms and Conditions of Employment of Educators (South Africa, 1995:25-44) and Education Labour Relations Council (1997:11-14), leave of absence from duty by an educator is granted by the relevant provincial education department with due regard for the requirements of the department or educational institution concerned. Leave of absence has a direct relationship with the Personnel Administration Measures document which provides for educators' termination of services. When services of an educator terminate for whatever reason, except when the educator reaches the pensionable age, all leave credits lapse on his/her last day of service, and he/she cannot claim the cash value of these credits.

In terms of Education Labour Relations Council, Resolution 7 of 2001, absence from duty that is recorded as leave can be classified under one of the following categories:

- Normal sick leave;
- Temporary incapacity leave;
- Permanent incapacity;

- Leave for occupational injuries and diseases;
- Special leave for study purposes, examinations, quarantine purposes, participation in sports or cultural events, urgent private matters, confinement, adoption leave, family responsibility leave, unpaid leave, unpaid leave for continuity of service and extraordinary circumstances.

Regulations are clear with regard to leave, namely leave is not a right but a privilege that can be denied if the institution needs the educator at the time of application. There is only one type of leave that is a right: confinement leave.

The Employment of Educators Act is directed towards promoting professional conduct within the teaching fraternity in South Africa. Educators are expected to adhere to professional requirements/characteristics mentioned in Chapter 2 (2.2.1). A clear framework for the role of educators as professionals is created through this legislation. The importance of investing in the formulation and enforcing of national education legislation can never be overemphasised. Legislation provides the solution when there are conflicting ideas and unacceptable conduct, and it has to be utilised effectively. The legal instruments place or locate educator professionalism within an arrangement of democratic accountability. As the report of the Working Group on Values in Education puts it, it is the educator who is accountable to the citizens of the democratic society. According to a report from the Human Resource Section of the DoE in the North-West Province (2008:23), leave is so abused that if principals fail to properly manage it, it might have dire consequences. Leave, as Education Labour Relations Council Resolution 7 of 2001 stipulates, is a privilege not a right. This means that the principal may decline an educator's leave application if the school cannot afford not to have the educator at work. Abuse of leave is another example of unprofessional conduct, and this includes leave granted to union office bearers which is unregulated.

Sujee, a school principal in Gauteng, confirmed how leave is abused by educators if it is not well managed by the principal (2010:3). Sujee emphasised the fact that educators have to realise that teaching is a calling not just a job. As a seasoned principal, Sujee has found it difficult to challenge the culprits (educators who abuse leave) and to prove their misdemeanours. However, a panel of experts gathered by The Sunday Times in 2010 asserted that the principal as head of the institution has to have policies that establish an ethos of effective learning and teaching. According to

the panel, the School Governing Bodies should adhere to actions taken by the principal to address issues such as educator absenteeism and educator performance. The governing bodies, as the panel argued, have the powers to request a report from the principal on educator absenteeism and can further make recommendations on how to deal with educators who show a certain pattern of absenteeism. Should it happen that the report indicates a serious absenteeism pattern for a particular educator; the educator could be summoned to a hearing with the governing body which can then refer the matter to the human resource department for sanctions. The implication by the panel is that the governing body has tremendous authority to ensure that educators are in line with policy, procedure and practice.

4.8 THE SOUTH AFRICAN SCHOOLS ACT (SASA)

The significant role of parents in education can never be overemphasised as is evident in the Education Laws Amendment Act of 2007 (ELAA). According to Heystek (2008:11-12), the pressure to provide quality education and the exposure and experience of the communities to high quality education will have an influence on the ability of school governing bodies to ensure and support schools to deliver quality education. This calls for active involvement of parents in supporting schools and promoting the best interest of the school. Conversely, Heystek (2008:12) foresees a negative consequence from the educators' perspective which is that the proficiency of school governing bodies may lead to intrusion into the rights of professional educators. Competent school governing bodies are likely to demand high quality education and may put pressure on principals and educators to yield better results. As Heystek (2008:12) quite correctly contends, the actions of the school governing bodies may infringe upon educators' rights as professionals to determine the quality in education classroom activities. It is significant to add that this intrusion may also load more pressure and stress on the already overloaded educators.

Joubert and Prinsloo (2001:19) aver that, due to South Africa's long history of apartheid and other discriminatory acts in education, the Schools Act (SA, 1996c) was enacted with the intention to provide a uniform system for the organisation, governance and funding of schools to amend and appeal certain laws relating to schools. According to Joubert and Prinsloo (2001:19), one of the basic aims of the

Schools Act is to transform education by creating and managing a new national school system.

The act makes provision for both the governance and professional management of public schools. It is easy to notice that everything the act strives to achieve is within the framework of the Constitution which is the supreme law of the country (Joubert & Prinsloo, 2001:19). Zengele (2009:19) concurs with Joubert and Prinsloo (2001:19) when he declares that any educator who goes into the classroom unarmed with thorough knowledge of the Constitution and the Schools Act does so to his/her own professional detriment. Section 16 (1) of the Schools Act places the governance of every public school in the hands of the School Governing Bodies (SGB) whilst section 16 (3) indicates that professional management is the responsibility of the principal under the authority of the Head of Department. The implication here is that the Head of Department has the authority to, unilaterally; take certain important decisions regarding the running of the school. This, however, should not be interpreted as allowing the Head of Department to undermine the authority of the principal or, else, the appointment of the principal in the school should be declared ineffective.

Section 20 (1) of the Schools Act stipulates that the School Governing Body has the powers to recommend the appointment of educators in schools to the Head of Department subject to the Employment of Educators Act and the Labour Relations Act. Zengele (2009:52) emphasises that there is no mention of other stakeholders such as educators, parents and teacher unions as major role players in the appointment of educators in the South African Schools Act. However, section 3.3(b) of the Employment of Educators Act does make provision for one union representative per union represented in the Education Labour Relation Council (ELRC) to attend as observers only. Yet, a qualitative study undertaken by Smit (2009:419) confirms tensions in the education system in the North-West Province due to existing power relationships and incidences of interference by teacher unions during the appointment of educators.

Reference to the South African Schools Act is relevant for this study as the School Governing Body has to recommend the appointment of educators in schools and submit its recommendations to the Head of Department. This is the emphasis of the democratic role of parents in the education of their children. The Employment of

Educators Act (EEA) acknowledges the role of the School Governing Bodies in section 6 (3) (6), namely that any appointment, promotion or transfer to any post in a public school may only be made on the School Governing Body's recommendation (Joubert & Bray, 2007:93-107). However, it has become a bureaucratic trend to undermine the powers of the School Governing Bodies, and this practice also ignores the legislation as seen in the case cited by Joubert and Bray (2007:100) below:

The case of *Pudulogo Primary School v MEC of Education of the North-West Province Case no. 14754/2005 TPD* is an example where the governing body's recommendation was totally disregarded by the Department of Education. As Joubert and Bray (2007:100) confirm, the Department of Education in the North West has become accustomed to the practice of deploying educators in excess to schools with vacancies, ignoring the obligatory duty of the School Governing Bodies to make recommendations. According to Joubert and Bray (2007:100), in this particular case, an educator refused to be transferred as his subject profile did not meet that of the school where a vacancy existed. That vacancy was later duly advertised in the open vacancy list and, as expected, the School Governing Body correctly followed the short-listing and interviewing procedures. On the morning of the interviews, the School Governing Body was notified by the department that the South African Democratic Teachers' Union (SADTU) had objected to the advertisement of the vacancy and that that objection had been upheld. Joubert and Bray (2007:100) contend that the implication was that the vacancy had been withdrawn. However, the interviewing panel proceeded with the interviews, and the School Governing Body recommended an educator who had been employed on a temporary capacity at the school as the preferred candidate.

The Department of Education declined to appoint the recommended educator and transferred the educator who had initially not consented to the transfer. As the school learnt, the educator had subsequently consented to the transfer. The school made an urgent application to the court requesting that the recommended educator be appointed and the transfer be nullified (Joubert & Bray, 2007:100). The respondent (Education MEC in the North-West) contended that the Education Labour Relations Council's resolution pertaining to Collective Agreement No 6 of 1998 with SADTU and other teacher unions required that preference be given to educators in excess. The respondent, as Joubert and Bray (2007:100) submit, further argued that in terms of

the Personnel Administration Measures (PAM), the department was within its entitlement to withdraw erroneously advertised vacancies at any time. However, according to Joubert and Bray (2007:100), the respondent conceded that its arguments were erroneous and offered to settle before the matter went to court. In terms of the settlement, the court ordered the recommended educator to be appointed and also awarded a punitive cost order in favour of the school (Joubert & Bray, 2007:100).

The case above elicits questions such as: How far would bureaucratic interference go if unchallenged? A collective agreement is a subordinate legislation, thus, how could it supersede the specific provisions of the Employment of Educators Act and the South African Schools Act? Could it be possible that the department cowers whenever teacher unions become involved in a case? How many more such cases have gone unchallenged because some of the School Government Bodies are less knowledgeable? Beckmann (in Smit, 2009:242) concludes this matter as he avers that the misconstruction of the legal framework as well as the consequent misalignment of the law can stem from either ignorance of the law or misguided decision making and even mala fide use of imaginary power by school leaders or provincial administrators.

4.9 SUMMARY

In terms of legislation, a lot still needs to be done in South Africa for education to be perceived as truly a profession. Morrel (2001:293) submits that educational malpractice still goes unaccounted for. Examples would be learners who graduate from high school despite being functionally illiterate and unable to earn a living; primary school educators who fail to identify learners with normal intelligence and learning disabilities such as dyslexia, thereby denying them the right to receive special instruction and effective and appropriate education; learners who still remain victims of corporal punishment and victims harmed by negligence, to cite but a few.

The South African government, Morrel (2001:293) suggests, should begin to treat education as a profession and strive to rate it at the level of the medical profession where cases of malpractice definitely end up in courts of law.

Despite the fact that, according to Rossouw (2010:20), society has become more aware of the law and the supremacy of the constitution, the country's citizenry still lives to witness a case where an educator is taken to court for "failure to teach". Since the

mid-nineties, there has been “floodgates of litigation” against schools, departmental officials and the state. There is no case on record where parents litigate against educators for “failure to teach” despite the fact that there are so many grade 12 graduates in South Africa who are illiterate and unemployable. It remains a mystery whether it is political negligence or fraud to promote learners despite their conspicuous incompetence.

Burger (2008/9:214-241) contends that government, since 1994, has never simply appointed any ANC loyalists to the positions in the ministry of finance, the commissionership of the South African Revenue Service and the governance of the reserve bank. The implication here is that government views these positions as vital and will not compromise these services by rewarding cadres for loyalty. It is evident that the government appointed people of unquestionable integrity to such positions, some with no political inclination at all, the likes of which would be Derek Keys and Chris Liebenberg who served in the ministry of finance from 1994 to 1996. To date, Burger (2008:293) pursues his argument: These services have continued to thrive well under the stern leadership appointed by the government. It is regrettable to note that education has not been afforded a similar status. The Department of Education, with its massive budget, is one of the biggest carriages on the government’s hugely mismanaged budget. It continues to utilise the biggest budget, paying salaries to a huge number of incompetent employees in schools and in top management positions as is evidenced by the calibre of the school leavers in South Africa (Zengele, 2009:58). It has become clear that education is in extreme need of an overhaul of its entire staff complement and, as is the case with the Department of Finance, its needs should be prioritised.

From the literature study, it is evident that legislation has been put in place to deal with most of the educational issues concerning educator professionalism and teacher unions. However, in some cases, the law is ignored by educators and education officials alike. The state, even in extreme need, does not utilise the law effectively to protect the rights of the entire citizenry and, in particular, to adequately regulate the professional conduct of educators in many instances. In other instances, legislation seems inadequate in addressing education issues, for example the definition of an essential service (discussed in par. 4.3.3) in section 65 of the Labour Relations Act and the conspicuous silence of the Personnel Administration Measures document on

the regulation of educators' conduct during strikes. Not without reason, the expectation should be that such a legal document would vividly state what is expected of educators on strike without infringing on their right to strike. The right to strike cannot be withdrawn, but it can be limited within the realms of legislation.

In this chapter, a description, analysis and critique of the various forms of legislation in South Africa have been provided, while the synergy that exists between these forms of legislation has also been highlighted. This study aims to ascertain whether legislation can be utilised and reinforced adequately to regulate professionalism and unionism. The literature study has confirmed the knowledge gaps. Although legislation contains copious provisions and theories about professionalism and unionism is well developed, the literature study confirms that the scholars have not investigated the political attitudes of educators with regard to unionism, professionalism and legislation. Evidently, there are knowledge gaps when viewed from the perspective of Education Law perspective, a discipline resorting under human sciences that deals with legislation impacting education.

CHAPTER FIVE

RESEARCH METHODOLOGY AND DESIGN

5.1 INTRODUCTION

Chapter two focused on the literature review in respect of the role of professional development of educators, in particular with regard to the role of SACE in the professional development of early entrant teachers. In order to explore the findings of the literature review, a qualitative approach to data collection, analysis and interpretation was chosen. The data collection strategies would be guided by a phenomenological research design, by using semi-structured interview approach and document analysis.

Maxwell, (2012:52) defines research design as a set of guidelines and instructions to be followed in addressing the research problems. This includes the aim of the research, the selection and design of the particular method and participants and a consideration of trustworthiness. Furthermore, Lewis, (2015:473) describes research design as the procedure to be followed for conducting the study, including then, from whom, and under what conditions the data was obtained. It determines what methods are to be followed for data collection as to elicit accurate answers to possible research questions.

5.1.1 QUALITATIVE RESEARCH

The proposed research was embedded on a qualitative research approach because it was aimed at gaining a better and in-depth understanding of the phenomenon in which early entrant educators occurs in a natural setting. The use of qualitative research approach is supported by Krathwohl (2009:236) who states that qualitative procedures are ideal for exploring complex a phenomenon about which there is little knowledge. Through exploration, qualitative methods teach us how to understand a phenomenon. In this study the proposed phenomenon is the role of the South African Council of Educators in development of early entrant teachers in the teaching profession. Stake (1995 in Krathwohl 2009:237) describes the intent of qualitative research as “not necessarily to map and conquer the world but to sophisticate the beholding of it”. By “sophisticate” he means qualities that humanize problems, that holistically portray

complex, interactive phenomena; that show how others perceive their world; and that provide insights on difficult problems.

Several writers have identified what they consider to be the prominent characteristics of qualitative or naturalistic research. McMillan and Schumacher (2006:12; 317-318) provide concise information on what the qualitative research is based on:

- Assumptions about the world: qualitative research is based to a large extent on constructivist philosophy that assumes that reality is a multi-layered, interactive, shared social experience that is interpreted by individuals. Reality is a social construction that is interpreted by individuals. Reality is a social construction, that is, individuals and groups derive or ascribe meanings to specific events, persons, processes, and objects from individual and collective perceptions or views of the same situation.

- Research goal: it is concerned with understanding the social phenomenon from the participant's perspectives. That understanding is achieved by analysing the many contexts of the participants and by narrating participants' meanings for these situations and events. Participants' meaning include their feelings, ideas, thoughts and actions.

- Research methods and process: qualitative researchers study participants' perspectives with interactive strategies: participant –observation, in-depth interviews and supplementary techniques. In qualitative research there is a great deal of flexibility in both strategies and the research process. Qualitative researchers use an emergent design and revise decisions about the data collection strategies during the study.

- Researcher's role: Qualitative researchers become immersed in the situation and the phenomenon being studied through interactive social role which they record, though observations and interviews with the participants in a range of contexts.

- Importance of the context in the study or context sensitivity: qualitative research develops context bound summaries. The qualitative researcher believes that human actions are strongly influenced by the settings in which they occur. The

researcher cannot understand human behaviour without understanding the framework within which subjects interpret their thoughts; feelings and actions.

Qualitative research was used for the following reasons:

- It is descriptive, that is, data collected takes the form of words.
- It involves a holistic inquiry approach carried out in a natural setting.
- The researcher is the data gathering instrument.
- It studies data inductively.

In short, this implies that the researcher collect data from participants in the natural setting. In this case the natural settings are the institutions (universities) and schools in which the early entrant educators are involved. The early entrant educators' feelings, thoughts, ideas, attitudes and perceptions about the role of SACE with regard to their development was explored.

5.1.2 PHENOMENOLOGICAL APPROACH

This section describes and justifies the qualitative research design method the researcher proposes to implement in the investigation, namely the phenomenological approach. The researcher answered the primary research question:

How can the South African Council of Educators (SACE) improve its crucial mandate of developing early entrant educators in their teaching profession?

McMillan and Schumacher (2006:346) explains that the purpose of a phenomenological study is to describe and interpret the experiences of participants regarding a particular event in order to understand the participants' meanings ascribed to that event. This can be thought of as capturing the essence of the experience *as perceived by the participants.* The basis of phenomenology is that there are multiple ways of interpreting of interpreting the same experience and that the meaning of the experience for each participant is what constitutes reality. The phenomenological method or study is fundamental for this study which seeks to investigate the role of the South African Council of educators in the development of early entrant educators. In the sense that the experiences as perceived by the early entrant educators are

important in determining what constitutes reality and how in particular the early entrant educators perceive the role of SACE with regard to their professional development.

A phenomenological study focuses much more on the consciousness of human experiences. Typically, there is a search for essential or invariant structure in the meanings given by the participants. The researcher needs to suspend, or “bracket,” any preconceived ideas about the phenomenon to elicit and better understand the meanings given by the participants (McMillan and Schumacher 2006:22). Through this approach the researcher will attempt to record the views, opinions, thoughts and ideas in order to make a scientific conclusion about the phenomena under investigation. Through the use of this approach the researcher will be able to describe the experiences of the early entrant teachers as it is found in concrete situations in their everyday world. For successful investigation, it is important that the investigator suspends all his preconceived ideas, beliefs, and habitual modes of thinking (Tufford & Newman, 2012:86). In the present research, the investigator will provisionally attempt to set aside his personal views, prejudices, philosophy of life and suppositions so as to allow the respondents to speak for themselves. Phenomenological research depends almost exclusively on interviews with a carefully selected sample of participants (Leedy & Ormrod, 2005:53).

5.1.3 RESEARCH PARADIGM

A paradigm is a framework for identifying, explaining and solving problems, understanding and interpreting the world and all one’s experience. A paradigm is a set of assumptions, framework of thought, and way of perceiving, thinking and doing associated with a particulars vision of reality. A paradigm is what we think about the world but cannot prove (Lincoln and Guba, 1985).

Denzin and Lincoln (1994 in Creswell 2007:249) regard a paradigm in qualitative research as a philosophical stance taken by the researcher that provides a basic set of beliefs that guides action. Babbie, (2015:42) describes this paradigm as the fundamental model or frame of reference we use to organise our observations and reasoning.

According to Babbie and Mouton, (2005:19) a paradigm represents a collection of mutually accepted achievements (including the theories, exemplary solutions,

predictions and laws) in this sense; a paradigm is primarily a model for conducting normal research. The proposed study will be following an INTERPRETIVIST-positivist paradigm with a focus on QUALITATIVE approach. According to Niewenhuis (2013:58) the interpretivist perspective on qualitative research has its roots in hermeneutics, the study of the theory and practice of interpretation. It developed in the 19th century as a philosophical theory of meaning and understanding, and also of literary interpretation. Nineteenth century hermeneutic theorists such as Osborne, (2011:66) considered understanding to be a process of psychological reconstruction, whereby the reader reconstructs the original intention of the author. The researcher utilised a qualitative paradigm, based on positivism, which was aimed to evaluate the social world objectively and predict human behaviour. The qualitative paradigm was based on interpretivism, which strives to comprehend how early entrant educators everyday settings construct meaning and explain the events of their worlds (Creswell in Fouche' & Delport, 2002:44).

5.2 MAIN RESEARCH QUESTION AND SUB-QUESTIONS

Taking into consideration the professional needs of early entrant teachers (including skills and knowledge), the proposed study was guided by the following primary question: *How can the South African Council of Educators (SACE) improve its crucial mandate of developing early entrant teachers in the teaching profession?*

- **Secondary research questions**

- What is the current practice of the South African Council of Educators towards the professional development of early entrant teachers?
- How is the South African Council of Educators supportive of early entrant educators?
- What effective strategies could be suggested in improving the current practices by SACE to early entrant educators?
- How effectively could SACE respond to the needs of early entrant teacher educations?
- How could SACE create awareness of its activities and professional matters to early entrant educators on a regular basis?

5.3 RESEARCH AIM

The aim of the proposed study was to explore the role of the South African Council of Educators in the development of early entrant teachers in the teaching profession by systematically investigating ways in which SACE can improve the actual practice of teaching, including sharing good practices among early entrant teachers to develop professionally.

5.4. RESEARCH METHODS

maintains that methods refer to the specific means by which data is collected and analysed. In this study, the researcher proposes the following data collection techniques:

5.4.1 Literature Review

The main purpose of literature review is to relate previous research to the specific topic which is proposed to be investigated (Bryman,2008:43) namely; the role of the South African Council of Educators in development of early entrant teachers in the teaching profession. Howitt, (2016:43) contends that the literature review in a research project has several purposes, namely:

- It shares the results of other studies that are closely related to the particular study undertaken, with the reader.
- It relates the investigation to the larger study that is undertaken on the top.
- It attempts to fill in gaps and extend other prior studies.
- It provides the framework within which the importance of the study is established.
- It serves as a benchmark for comparing the results of the study with the findings from other studies.

The literature review will help the researcher to identify methodological techniques that have previously been used to research similar phenomenon as well as identify contradictory findings (McMillan and Schumacher, 2006:44). The literature review therefore allows the researcher to develop a theoretical or analytical framework that

serves as a basis for the analysis and interpretation of the data that is collected during the course of the research project. The literature review in this research is envisaged to be conducted in a manner consistent with the methodological assumptions of qualitative research. It will be used inductively to determine the questions asked by the researcher.

5.4.2 Focus group interview

According to De Vos *et al* (1998:314) the focus group interviews is characterised by inviting a few participants to discuss a topic under the leadership of the researcher. Flick, (2018:23) regards the focus group as a carefully planned discussion designed to obtain perceptions on a defined area of interest in a permissive non-threatening environment. According to Flick, (2017:54) care must be taken to encourage all participants to talk and to monitor individuals who may dominate the conversation. Focus group interview methods are not inherently superior to any other methods, except that they are more or less appropriate given a certain context. The advantage of a focus group interview is that synergy of the group has the potential to uncover important constructs, which may be lost with individually generated data.

5.4.3 Sampling

According to Cohen, Manton and Morrison (2007:100) the quality of research stands or falls not only by the appropriateness of the methodology or instrumentation but also by the sample that has been adopted. Many constraints such as cost and time, to name but a few, make it impossible to obtain information from the entire population. This brought need to obtain data from a smaller group. This smaller group or subset of the entire population is referred to as a sample. The researcher will employ the use of non-probability purposive sampling. The researcher deliberately (purposely) selected a particular section of the wider population to include or exclude respondents from the sample (Cohen *et al.,* 2007:110).

Kim, Sefcik and Bradway, (2017:35) further explains that purposeful sampling is a dominant strategy in qualitative research. Purposeful sampling seeks information-rich cases which can be studied in depth. It is a non-random method of sampling where the researcher selects information-rich cases for study in depth. Information-rich cases

are those from which one can learn a great deal about issues of central importance to the purpose of the research; thus the term purposeful sampling.

Sample selection is qualitative research is usually non-random, purposeful and small as opposed to the larger, more random sampling of quantitative research. In this proposed study, purposeful sampling will be employed. In purposive sampling people are aware, as the name implies, of the particular purpose (Etikan & Bala, 2017:135). This implies that the sample is chosen because they are likely to be knowledgeable and informative about the phenomena the researcher is investigating.

Maree, (2007:328) further explains that in purposive sampling a particular case is chosen because it illustrates some feature or process that is of interest for a particular study – though this does not simply imply any case we happen to choose (in Silverman, 2000:104). In purposive sampling the researcher must first think critically about the parameters of the population and then choose the sample case accordingly. Clear identification and formulation criteria for the respondents is, therefore, of cardinal importance. Onwuegbuzie and Leech, (2007:244) comments as follows in this regard: The purposeful selection of participants represents a key decision point in qualitative study. Researchers designing qualitative studies need clear criteria in mind and need to provide rationales for their decisions.

The researcher selected 15 early entrant teachers in Thembisa Township in Gauteng Province to participate in the research study.

5.4.4 Selection of participants

The researcher selected purposefully a small group of fifteen (early entrant teachers) in the Thembisa area, from four selected schools. To enhance trustworthiness of the study, further details (geographical, age, qualifications etc.) of the participants was provided, although not a requirement in the study.

5.4.5 Data analysis

Qualitative data analysis is primarily an inductive process of organizing the data into categories and identifying patterns among the categories (McMillan and Schumacher 2010:364). Pietkiewicz and Smith, (2014:11) describe qualitative data analysis as the range of the process and procedures whereby we move from the qualitative data that

have been collected into some form of explanation, understanding or interpretation of the people and situations we are investigating. Qualitative data analysis is usually based on an interpretative philosophy. The idea is to examine the meaningful and symbolic content of qualitative data. According to Henning *et al.,* (2004:127-129) and Smit (2002:66-68), data analysis in qualitative research is an ongoing, emerging and interactive or non-linear process. Before one begins with an analysis, data are transcribed, which simply means that texts from the interviews, observational notes or memos are typed into word-processing documents. These transcriptions are then analysed manually. To analyse literally means to take apart words, sentences, and paragraphs, which is an important act in the research project to make sense of, interpret and theorize data. This is done by organizing, reducing and describing the data. In other words, when using qualitative analysis as a means to explain or make sense of the inquiry, we do not use as evidence the frequencies or the quantities with which something occurs, but rather elicit meaning from the data, in a systematic, comprehensive and rigorous manner.

One of the aims of an analysis is to describe both the data and the objects or events to which the data refer. Bogdan and Biklen (:145 as cited in Hoepfl 1997:00) define qualitative data analysis as “working with data, organizing it, breaking it into manageable units, synthesizing it, searching for patterns, discovering what is important and what is to be learned, and deciding what you will tell others”. Henning (2004), Silverman (2000), De Vos (2002), Terreblanche and Durrheim (1999) and Graue, (2015:89) refer to the following steps of qualitative data analysis:

Step one: Managing the data

This is the first step in data analysis away from the site. Audio-taped data must be transcribed, that is, transferred verbatim to paper. These transcripts, as well as additional notes from the moderator, observer, and others must be organized into files and clearly marked or labelled. Markers and number coding may be used. The transcriptions, combined with the literature review and preliminary knowledge and data, become a useful part of data analysis. Organizing the data makes it easy to retrieve.

Step two: Familiarization

To familiarize yourself with the data, it is necessary to engage in a careful line by line reading through all the relevant transcripts several times. This entails making notes, drawing diagrams and performing minor editing. This phase entails immersing yourself in the details in order to understand the content of the data, and to develop a sense of the participants' characteristic language usage.

Step three: Themes and inductive process

Once you are familiar with data, the process of coding can begin. Coding is viewed as the heart and soul of text analysis. Coding entails labelling units of meaning within the data, thus forcing the researcher to make judgements about blocks of text. This is done by coding a phrase, a line, a sentence or a paragraph, using different colours and numbers. The content of the text may refer to a discrete idea, an event, or an activity. The search for similarities, differences, categories, themes, concepts and ideas is a continuous process. Following coding, using an inductive approach, categories of meaning or themes emerge from the data. For the data to be meaningful, is essential to search for "subjective" meanings and relate these meanings to "objective" structures. It is useful to identify a few general themes which, in turn, may have sub-themes. The intention is to reduce the data into small and manageable sets of themes that facilitate interpretation and writing up the final report. The process of data reduction entails separating the essential from the non-essential and identifying those aspects relevant to the study, that is, those that help to answer your research questions.

Step four: Elaboration

Terreblanche and Durrheim (1999:20) suggest that the themes be explored more closely to capture the finer nuances of meaning and insights not captured by the researcher's original coding system. This phase provides the opportunity to revise the coding system.

Step five: Interpretation

Interpretation involves identifying ways in which emerging themes and sub-themes, connections and contradictions fit together. Henning *et al.* (2004) suggest that during

this phase, each theme that emerged during the preceding steps can be used as a basis for an argument in a discussion around them. The themes are discussed and argued to make a point, and the point that is to be made comes from the research questions (Henning *et al,* 2004:107). In this way, findings emerge from the data. Mouton (2002:161) states that analysis of data usually involves reducing data to manageable proportions the wealth of data that one has collected or has available; and identify patterns and themes in the data. Krathwohl (2009:213) states that analysis is the process that facilitates making interpretations from fieldwork, observation and interviewing (interview transcripts).

Cohen, Manion and Morrison (2007:183) state that data analysis involves organising, accounting for and explaining the data; in short, making sense of the data in terms of participants' definitions of the situation, noting patterns, themes, categories and regularities. According to Flick, (2017:64) the main reason for analysing data is to explore, explain, and forecast, to examine the relationships, to make comparison and construct concepts and theories.

5.5 ETHICAL CONSIDERATIONS

According to Glesne, (2016:198) ethical considerations mean that the researcher must carry out the research competently, manage resources honestly, acknowledge fairly those who contributed guidance or assistance, communicate results accurately, and consider the consequences of the research for society. Guillemin and Gillam, (2004:270) explains that research has an ethical-moral dimension in that the researcher has the moral and professional obligation to be ethical even when the researched are unaware about ethics. The principles of ethics in research are that the ethical responsibility rests with the researcher.

The ethical considerations which the investigator needs to take into account are one of the following: informal consent, approval, confidentiality, anonymity, feedback and honesty.

- Informed consent

McMillan & Schumacher (2010:205) indicate that informed consent is achieved by providing subjects with an explanation of the research and an opportunity to terminate their participation at any time with no penalty as well as full disclosure of any risks

associated with the study. Consent was obtained by asking participants to sign a form that indicates an understanding of the research and consent to participate.

- **Approval**

The investigator obtained approval for conducting the research from the Central University of Technology Ethics Committee before any data is collected. The researcher used the permission granted by the University to collect data and applied for permission from the Gauteng Department of Education to collect data. In both instances permissions were granted.

- **Confidentiality**

Information obtained about the participants will be kept confidential unless otherwise agreed upon in advance, through informed consent. This implies that no one has access to the original data except the researcher.

- **Anonymity**

The investigator gave each participant a code number and label all written documents with that code number rather than with the person's name. The researcher ensured that no one will be able to identify the participants once the study is terminated.

- **Feedback**

The investigator will provide subjects, if any interested, with the opportunity to receive the results of the study in which they participated.

- **Honesty**

The investigator reported the findings in a complete and honest fashion without misrepresenting what is done, or intentionally mislead anyone as to the nature of the findings. Under no circumstances the researcher fabricated data to support a conclusion.

5.6 TRUSTWORTHINESS

According to Amankwaa, (2016:125) and Poggenpoel (1998:348) the concepts "reliability" and "validity" relate to qualitative research, and a different terminology appropriate to the qualitative research needed. In this regard Poggenpoel (1998:348-

351) proposes Guba's model of ensuring the trustworthiness of qualitative data. Truth value, applicability, consistency and neutrality are the four criteria suggested by Guba.

5.6.1 Truth Value

Truth value implies that the researcher can confidently consider the findings related to the participants and the context in which the study was undertaken, to be truthful (Amankwaa, 2016:125). The researcher has to establish a correlation between the verbal accounts of the participants and the analysis of the study. This determines whether the information gathered from the participants can be considered as truthful. Verbal accounts of the participants should be quoted extensively in the study in order to confirm the researcher's analysis and contribute to its credibility (Morrow, 2005:250). The verbatim accounts of the participants will allow the researcher to acquire an understanding of the response in totality (Bogdan & Bliken 2003:190).

5.6.2 Applicability

Applicability of findings can be assessed by its transferability to other contexts or settings. If the research presents sufficient descriptive data to allow for comparison, applicability would be ensured. However, in this study participants are unique and their views are divested. Thus, the researcher will focus on describing the phenomenon to be studied and the need to generalize will not be relevant.

5.6.3 Consistency

Consistency refers to whether the findings would be consistent if the investigation would be replicated with the same subject or in a similar context. This would depend on another researcher's findings when he/she replicates the study. Thus, if the participants hold the same opinion, the findings will not be altered (Amankwaa, 2016:127).

5.6.4 Neutrality

Neutrality refers to the freedom of bias in the research procedure and result (Poggenpoel 1998:350). The researcher has to select the participants in such a way to avoid choosing participants with whom the researcher may be familiar. The questions to be posed to participants should be carefully formulated in order to reduce bias (Cohen & Manion 1994:282). The researcher remained objective throughout,

while conducting the interview, analysing the data and presenting the findings. During the interview session, the researcher gave the participants no indication, verbally or through non-verbal gestures that he is surprised or agrees or disagrees with their responses. However total objectivity cannot be achieved (Sarma, 2015:176) as the researcher realized that he has to respond to the participants in an empathetic manner during the interview, since the nature of the data collection involves interaction between the researcher and the participants. However solely focusing on the data will help the researcher to be free of any bias when he analyse data and presents the findings.

5.7 THE RESEARCHER AS AN INSTRUMENT

The researcher is directly involved in the setting, interacts with the people, and is the "instrument". As such no qualitative report can exclude the researchers own perspective, and consideration should be given to how that might have shaped events and interpretations. Xu and Storr, (2012:10) maintain that the extent to which the researcher planned his participation in the study or outlined his role should determine the extent to which his own perceptions will be reflected in the report.

Steward, (2010:292) suggests that the researcher can utilize different strategies to convey his position. The researcher may want to disclose in the report his biases, value and context, all of which may have shaped the narrative, or he can be 'present' in the report through devices such as an instrument epilogue, reflective footnote or commentaries or include a section in the report on the role of the researcher.

5.8 TRIANGULATION

Triangulation is a powerful strategy for enhancing the quality of the research, particularly credibility. Carter, Bryant-Lukosius, DiCenso, Blythe and Neville, (2014:546), posit that central to the credibility of qualitative research is the ability of informants to recognize their experiences in the research findings. One of the most important ways to improve the trustworthiness of qualitative research findings is by means of triangulation.

Golafshani,(2003:560) said that triangulation is a technique that attempts to arrive at the same findings by using at least three independent methods, for example, observation, document review and focus group interviews. If the results of several

methods of collecting data agree, the findings can be judged as being credible and valuable (Flick, 2004:298).

5.9 SUMMARY

In this Chapter, an attempt has been made to explain the research methods and techniques that will be used to collect and interpret data in this research study. The qualitative research method is regarded as the best method that the researcher can use to find measures to the research problems mentioned in Chapter 1. In addition to the method of data collection, the data was discussed and the measures to ensure trustworthiness, as well as ethics of a qualitative study were explained.

CHAPTER SIX

DATA PRESENTATION AND ANALYSIS

6.1 Introduction

This chapter presents, discusses and analyses the data generated during the in-depth interviews with the high school educators in the selected schools. Twelve participants took part in the study. This chapter presents the participants' attributes, the identified themes, quotations from the participants' statements emphasising their meaning, and a discussion of each theme.

6.2 Characteristics of the participants

The following table present the attributes of the participants at the selected school A. The early entrant teachers participating in the study were identified as AA – LL, whereas the school was termed X.

Codes for teachers	**Highest qualification**	**Teaching experience (in years)**	**No. of teachers at the school**	**Subjects currently teaching**
AA	B.Ed.	1	55	Sepedi
BB	B.Ed. Hon.	2	55	Sesotho, EMS
CC	PGCE	1	55	Business Studies & EMS
DD	B.Ed.	1	55	Accounting & Economics
EE	B.Ed.	1	55	Life Sciences
FF	B.Ed.	1	55	Mathematical Literacy
GG	PGCE	2	55	Religion Studies
HH	B.Ed.	1	55	Life Orientation
II	B.Ed.	1	55	Life Orientation
JJ	B.Ed.	2	55	English
KK	B.Ed.	1	55	isiZulu
LL	B.Ed.	1	55	Dramatic Arts

[The above tables present the teachers' professional qualifications and the information relating to the school.] Table 6.2.2

6.3 Data presentation and analysis

6.3.1 Teachers' professional development experiences

Table 6.6.3 below lists the different types of professional development that the participants in the school studied had experienced in the past two years.

Table 6.6.3: Early entrant Teachers' professional development experience

- Training for Curriculum Assessment Policy Statements
- Classroom management
- Literacy Professional Development Programme
- Assessment for Learning
- Postgraduate courses

Nine of 15 participants were involved in professional development programmes that focused on the literacy and or numeracy areas. Similar number of participants was also involved in professional development programmes that focused on the instructional methods while nine participants had taken part in professional development with focus on student assessment. Finally, three of the teachers in the school studied had attended post-graduate courses in the past years.

6.3.2 Teachers' assessment of their practice

All 15 participants indicated that they used self-reflection as the main method of assessing the impact of professional development experienced on their teaching practice. In addition to this, 10 of them pointed out that they used the feedbacks received from classroom observations to help assess their own practice. Nine out of 15 participants also indicated that they used students' assessment or improvement in students' performance to gauge the improvement in their own practice. One participant further indicated that professional dialogue had helped with her self-assessment of her teaching practice (see Table 4.5).

Table 6.6.4: Early entrant Teachers' assessment of their practice

Methods of assessment	**Number of teachers**
Self-reflection	12
Feedback from classroom observation	10
Students' assessment and improvement in students' performance	9
Professional dialogue	1

In relation to the variety of professional development made available to the teachers in the school studied, 11 out of 15 participants responded that they believed that their profession development experiences had some impact on their teaching practice. 11 participants described their overall experience attending various professional development programmes as either 'meaningful' or 'most meaningful' to them. Overall, the participants responses indicated that the majority of the teachers in the school studied believed that their professional development experiences had helped improved their practice.

The responses gathered from all participants also concluded that they were motivated to practice the knowledge and skills learned from the professional development programmes attended. However, despite the overall positive feelings associated with their professional development experiences, the participants in the school studied also highlighted that they faced a number of challenges or difficulties. All the participants noted that they experienced professional development initiative overload. This is evident in the following quotes:

Too many different types of PD. I wasn't able to really get 'teeth' into one before I was loaded with another. Often the focus area is considered by the PD facilitators to be the only thing that we teach – the reality is, we have to be generalists.

Overload. Lack of time to embed. Too many initiatives at once.

The participants' responses suggest that all of them believed that they experienced professional development overload from the Gauteng Department of Education workshops and little professional development which was initiated by the South African Council of Educators.

6.3.3 Sustaining changes made in teaching practice

10 out of 15 participants agreed with the statement that they were able to sustain the changes made to their teaching practice. Two participants on the other hand expressed their disagreement with the statement given. In addition, one participant indicated a neutral response to the statement. Although a majority of the participants indicated that they were able to sustain the changes made to their teaching practice, they all still had some concerns over it. The participants responded that there appeared to be a lack of continuity and follow-up for the professional development programmes experienced. As a result, the participants believed that this had contributed to their inability to sustain some of the changes made to their practice. As one participant had commented:

Lack of follow up and ways to sustain and consolidate new ideas or knowledge

6.4 INTERVIEW FINDINGS

The following are the major themes that emerged from the interview sessions conducted with five participants in the school studied.

6.4.1 Teachers' assessment of their own practice

When asked of the methods used to assess their own teaching practice, the participants reported that they often reflected on their teaching practice as a way to further improve it (see table 6.6.4). This is evident from a comment made by one of the participants:

"Can it make me a better teacher in the classroom? Does it hone my practice? Does it make it more effective for the children? Does it have more focus for the children and what they need? That's how I would measure the success of it"

In addition, one participant stated that due to her gaining knowledge from the postgraduate studies-in the honours qualification, she had to provide support for other teachers with initial teacher qualifications. By doing self-reflection, the participant believed she was able to share some of her successful teaching strategies with other teachers. She explained:

"It makes you stop and think about the most relevant thing that you do, so it does make you reflect more on your teaching...so even by supporting somebody, it helps my own development"

The participants further indicated that they also assessed their practice from the learners' responses to their lesson. As one participant commented:

"I think a lot of it is how your class respond to your lesson. You know your students really well and you see those changes that might be"

The participants also stressed on the importance of classroom observation. They noted that the feedback they received from classroom observation had also helped them to assess their own practice. One participant said:

"We have classroom observations, where people that are the leaders come in and observe you and they give you feedback. That can be quite useful. I had that at the beginning of the year. She gave me some really good feedback and I've been quite conscious since then"

6.4.2 Teachers' perceptions of the impact of professional development by SACE

The overall finding of the teachers' perceptions of the impact of teachers' professional development experience on their teaching practice is presented in Table 6.6.5 below:

Table 6.6.5: Teachers' perceptions of the impact of professional development on their practice

- Learning to try new and or different approaches to teaching
- Be a more reflective practitioner
- Be able to develop better content knowledge
- Keeping-up with external forces
- Be more confident with their teaching

1. Learning to try new or different approach to teaching

"I think it's just learning to be more open to try new things and trying something different"

2. Being more reflective practitioner

"*If it is writing for instance, looking at your children writing book, it's an immediate feedback for you. You can see that strategy worked. They're organising their ideas better now…I've got that message home"*

3. Being able to develop better content knowledge

The resources developed by the Ministry, for example the resources on Maths, English help me developed that content knowledge and it's just amazing

4. Keeping up with the external forces that resulted to changes in teaching

There are all sorts of different aspects to being a good teacher. I definitely think that we have to keep active in what's happening and to do that you do need to continue studying…it helps you remain critical and have some confidence

In addition, the participants also believed that professional development was necessary to keep with the changing nature of the learners that they have. One of the comments made by the participants was:

"I think the ways that children learn now has changed…you've got to change with the time. I do see that keeping up with current research has made an impact on the way I deliver things now and that it turn has impacted on the students' motivation to learn because it is not the same old same"

5. Being more confident with their teaching

"By continuing to study, it helps you remain critical and have more confidence in yourself"

6.4.3 Factors that influenced teachers' perceptions

In this section, the participants' comments in relation to their perceptions of the impact of professional development were further investigated to identify the factors that had

influenced such perceptions. The factors identified as having some effects on teachers' perceptions of their overall professional development experience were listed in Table 6.7 below:

Table 6.7: Factors that influenced teacher perception

- Professional development that address teachers' needs
- Realistic time frame
- The forms of professional development experienced
- Teachers' motivation and commitment to improve their practice

Through the participants' comments, five key factors that are imperative to teachers' perceptions of effective professional development for teachers were identified and explained below:

6.4.5 Addressing teacher needs

All the participants reported that they perceived a successful professional development experience as one that addressed their specific needs. They reiterated that for a professional development programme to have any positive impact on teaching practice, it had to be tailored to the teachers' specific needs. The quote below is a representation of the comments made by the participants:

> *"Just like the children, we all got different learning styles but the professional development that we had is always at the same pace for everyone and conducted at the same level even though the teachers have different level of experience. So I think if it was individualised a bit more, it'd be good"*

The participants further commented that they believed some of their professional development experiences in the past had been unsuccessful because they were not tailored to their specific needs. The failure to address teachers' specific needs in any of the professional development programmes was identified to result to frustration with their overall experience. The participants commented that although teacher needs analysis was carried out prior to having such professional development programmes,

often they ended up experiencing something that was not suited to their specific needs. Their comments were:

"When the external professional development providers come in, they will have a formula and yes, they certainly will talk to the teachers about what they feel their needs are. There will be survey done but at the end of the day, those external professional development providers will have a formula for what being provided to the school because they are providing to other schools as well and it becomes the PD industry and it's an industry"

Another comment was:

"Some of the PD that I've experienced was sort of done to me and it was sort of ike a standard format and it might not necessarily fit with my group of children and so I will sift through if that idea will work with my children".

6.4.6 Realistic time frame

Another factor identified to have influenced the teachers' perceptions of the effectiveness of their professional development experiences is amount of time given to assimilate the new knowledge into their teaching practice. A participant for example pointed out that she was expected to embed the new knowledge gained into her practice within a short period of time. She said:

"Sometimes I feel like I don't have the time to actually consolidate the knowledge, or consolidate my new learning"

Similarly, other participants also agreed that professional development that is longer in duration would allow teachers more time to practice and to have the new knowledge embedded into their practice.

"I think that it is really important when you do some new learning that you actually go away and put it into practice. It is about being downloaded with more stuff to try and more stuff to do. You don't get time to get that into your practice and that can be quite frustrating"

The participants interviewed also expressed their frustration with some professional development programmes that they had experienced which they believed were being hastily done to them. A participant said:

"The frustration is often over some ideas that you want to put in place and you don't have the time to get it embedded in your practice"

The comment made by these participants indicated that time is an important determinant to successful professional development. Adequate time to practice the new knowledge and skill learned will result to sustained change in teaching practice. As sustainability is perceived to be the essence of effective professional development for teachers, this significant finding will be discussed in the following chapter.

6.4.7 The forms of professional development

The teachers in the school studied had experienced a range of professional development. In addition to the professional development programmes offered by external professional development providers, the participants were also involved in other forms of school-based professional development programmes such as mentoring, coaching, professional learning communities. Some of them had also completed some level of postgraduate studies on their own.

The participants provided mixed responses when asked of their professional development experiences as they said it very much depended on the types of professional development programme that they had. For this reason, the participants' experiences from these various forms of professional development programmes were compared to establish if its form had any impact on teachers' perceptions of its impact on teaching practice.

One clear finding that emerged from this study showed that the participants indicated their preference for school-based type professional development over the programmes arranged by external providers. The participants noted that it would be best if the experts at school level were involved in providing other teachers with professional development as not only it empowered them but it also helped to stretch the school financial resources longer. They said:

"When we had a lot of external PD, I think that it disempowered people. I think they (the teachers) lose confidence in themselves, that they are capable. They don't need to have somebody from the outside saying 'this is the way you do it' because it just make them inactive or passive".

Another observation from the participants was:

"I think there is value in school actually utilising the resources that they have in school first. They should try and seek whether they have that sort of expertise in school first. Far too often, too many schools go out and seek external parties to come in and provide the PD. I believe that the money paid to them could be better utilised by actually providing support and that sort of encouragement for people within the school".

Moreover, the majority of the participants also said that they believed they gained more from school-based professional development as it gave them the most opportunities to learn from each other. For example, some of the participants noted that they learned most through modelling and coaching as compared to attending training or workshops organised by external providers. The participants' comments were as follow:

"With co-teaching and modelling, I'll get a lot out of it as oppose to observation of me. Observations are quite valuable...but for me, I feel that I get more out of it if it's co-taught or modelled and then we have a dialogue about it afterwards. That just seems to work for me

I prefer the sharing of ideas. The actual PGL talk thing where you can say "I did this and this is what happened". It's the collegial discussion about things. We can learn a lot from each other even if we have been teaching for ages"

The participants also pointed out that one of the advantages of having professional dialogue amongst colleagues was being able to sustain the changes made to teaching practice. They said:

"I think professional dialogue helps me sustain the changes made to my teaching practice. Even talking in a group or with another buddy teacher asking 'How are you doing?' and 'What works for you?'...It keeps me going and motivates me because I know they have done it and it really works for their kids"

A positive reflection of one participant:

"I really like if it's somebody leading from our school like for instance xxx and xxx because I get the dialogue going on. Like for example I might go home and think about something and I'll go back to them and that's immediate feedback the next day. Whereas sometimes with external facilitators, you can't do that. There's a gap and you can have that robust conversation"

Overall, the participants indicated that they preferred school-based professional learning as they were able to get immediate feedback from their colleagues. In addition, the professional learning experienced was perceived to be more relevant to them as it was specifically designed to target the students that they have in the school. In addition, the participants indicated that change in teaching practice is easier to sustain through school-based professional development.

6.4.8 Teachers' motivation and commitment

Responses gathered from the participants showed that they were very motivated to improve their teaching practice and this was evident from their comments. As one teacher responded:

"*For instance the CPDT, where I was looking for to really improve my practice because it lacked continuity. It wasn't as effective as I think it could have been but I do reflect. I do change and I try things. My colleague is doing CPDT papers ... and I asked her. So I tried things that she told me or she even modelled for me"*

The participants also noted that they have strong motivation to participate in any form of activities that can enhance their knowledge and skills. In addition, the participant responded that they are more motivated to participate in professional development that is focused on the improvement of student learning. The responses gathered

suggest that this type of professional development is perceived to be most effective in changing their practice. The participants for example explained:

"It is just a personal interest of me to do some work on literacy and what hinders the progress of children in their literacy and acquiring literacy skills. So that's a personal area that I'll like to become a bit more skilled in and maybe help with some programmes, developing some programmes across the school but I need to go and do some PD myself"

"I do look for opportunities to learn from my colleagues. Particularly if it's something I'm interested in like CPDT. We've got a lot of CPDT children and I wasn't getting as much as I wanted from the contract, mainly due to scheduling more than the facilitator wasn't up to it or anything"

6.5 THE CHALLENGES AND DIFFICULTIES

All the participants interviewed highlighted some of the challenges or difficulties faced in relation to their professional development experiences. Table 6.8 below lists all the challenges and difficulties faced by the participants.

Table 6.8: The challenges and difficulties

The challenges and difficulties
• Creating more opportunities for school-based professional development • High cost • External professional development overload • Sustaining changes made to teaching practice • The impact of unionism on professionalism • The role of the South African Council of Educators towards the professional development of the participants

6.5.1 Creating more opportunities for school-based professional development

All the participants agreed that their professional development experiences had a positive impact on their teaching practice. They also identified professional dialogue and professional learning communities (PLC) as important forms of professional development where they can share best practices with each other. However, the participants raised some concerns that they had, for example the lack of opportunities to engage in such activities in the school being studied. The participants aimed that they had problem finding suitable times to formally meet and discuss issues related to their practice with their colleagues. As one participant pointed out:

"The PLC, it was scheduled once every fortnight but things crowded in. But when we had it and being quite focused on it and keeping to the timetable, it has been quite helpful. But it's just that. Again in schools, things crowded out but when we had it, it was really useful"

The participants further highlighted some of the barriers identified as limiting the opportunities available for teachers to engage in more school-based professional development. The biggest barrier identified is time. This is evident from the following quotes:

"It's still challenging because you still got to be in your own classroom, unless you can get somebody to look after your class to do that. So, that's quite difficult"

This key finding will be further discussed in the following chapter.

6.5.2 The high cost

The participants were well aware of their specific professional development needs. As they feel that their professional development experiences failed to address their need or their students' needs, some of the participants have made it an effort to fill that gap elsewhere. This is evident from the teachers' comments that they made the effort to seek some forms of personal professional development in the areas they need to help them do their jobs better.

Some of them also expressed their intention to apply for study award to pursue postgraduate qualification while some other participants mentioned the high cost of having professional development that addressed the issues that they have with their

teaching practice. It became very clear that the cost of having professional development that addresses their specific needs had impeded them from having such experience.

"Unlike the GDE Bursaries or the study grants, it's very carefully weigh up because of the cost. Since our money situation is quite critical, so I'm always conscious of that. So I haven't been on many courses lately because of the money consideration. It can be quite a barrier too"

However, stress arises when the teachers commit themselves into some form of professional development own their own. The teachers relate that they are often faced with various obstacles during the course of the professional learning undertaken. Among the most common obstacle faced by the teachers is the fact that they struggle to find the balance between work and their studies.

6.5.3 External professional development overload

The participants reported that they are currently being overloaded with various external professional development initiatives. This is evident from the following quotes:

"We have been bombarded by tremendous amount of external PD because we have been a school that has a low quintile rating... I think there are many low quintile schools just like us, coming from learners from low-socio economic situation that we are all in the same boat. We are doing the best we can. We need the support but the PD has been packaged and dumped on schools"

"Making sure we have bits of everything, it gets too sort of haphazard. We need a really good block. If it's just literacy and that's all we do and it's scheduled and there is a real focus and you sort of immersed in it"

Moreover, the participants expressed their frustration of being overloaded with professional development. The following comment is a representative of the participants' view of the issue:

…"the fact that you might be doing or receiving some PD and get lots of ideas and strategies that you would like to try. But if you don't have the time to consolidate it and to actually go and try it before you are given a whole new package of strategies, you sort of become overwhelmed"

"Making sure we have bits of everything, it gets too sort of haphazard. We need a really good block. If it's just literacy and that's all we do and it's scheduled and there is a real focus and you sort of immersed in it"

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The following theme is from the participants on sustenance of their professional development in teaching.

6.5.4 Sustaining changes to teaching practice

Another finding on the challenges or difficulties faced by the teachers is the time factor. As reported earlier in the finding from the questionnaire completed, the participants believed insufficient amount of time given to them as the key factor that affects their ability to sustain changes to their teaching practice.

"One thing I find with PD is that sometimes we don't get time to consolidate it. Yes, we have done it. We might try bits and pieces of it but we don't seem to have a review later on down the line to see how it's working for us"

The participants also mentioned the lack of continuity and follow-up in the review process which affected their ability to sustain changes to their teaching practice.

"I like the sort of reviewing how we are going to sustain the changes over a period of longer time too. Not just of one quick thing. There were very big gaps. So we have a bit of PD and then there would be a big gap, then have a bit of PD and then another big gap. The gaps were too long that you lost momentum. You get all enthusiastic and you want to transfer that into your practice but you sort of over time lost your momentum. You lost engagement because there was that lack of continuity"

6.7 RESEARCH PROPOSITIONS

The researcher had postulated that with regard to knowledge, application and understanding of the principles and tenets of professionalism as well as knowledge and application of legislation that pertains to education, the study would:

- Demonstrate gaps and poor knowledge of what professionalism entails;
- Demonstrate a prevalence of unprofessional conduct;
- Demonstrate inadequate knowledge of legislation regulating educators' professional and labour activities;
- Demonstrate significant adverse effects of trade unionism in education;
- Demonstrate a prevalence of bureaucratic control and poor management in the education system.

6.7.1 Qualitative research

A basic qualitative research was conducted to measure the extent of the attitudes of participants towards professionalism, the impact of unionism on professionalism and the role of the South African Council of Educators towards professional development of the participants. This was done in order to arrive at a realistic, descriptive and exploratory representation of the phenomena. The decision to use a mixed-methods approach was intended to provide structure for the development (Creswell, 2009:77) of "more complete and full portraits of our social world through the use of multiple perspectives and lenses", as espoused by Somekh and Lewin (2005:275).

Qualitative research is a method whereby researchers try to explore and understand the complexity of the phenomena being studied by immersing themselves into the subject matter (Leedy & Ormrod, 2005:148).

6.8 Summary

The data collected from documents, questionnaire and interviews revealed that the group of early entrant educators being studied in general believed that professional development programmes had some impact on their teaching practice. The participants' views of their professional development experience and their perceptions of its impact on teaching practice will be discussed in the following chapter. Analysis of the findings also identified three key issues; creating more opportunities for school-based professional development, professional development overload and sustaining

changes to teaching practice. The following chapter will now consider the significance of the findings in relation to the literature.

CHAPTER SEVEN: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

7.1 Introduction

This final chapter reviews the aims and research questions, summarises the findings in relation to these. The main objective of this research study is to identify the teachers' perceptions of the impact of professional development on teaching practice. Limitations of this research are discussed and recommendations are made for more effective professional development experience for teachers. What follows here is an outline of the findings of this research in relation to the initial research objectives:

7.2 OBJECTIVES OF THE STUDY

Limitations of this research are discussed and recommendations are made for more effective professional development of early entrant teachers. What follows here is an outline of the findings of this research in relation to the initial research objectives:

- What are the early entrant teachers' perceptions of the impact of professional development on their teaching practice?
- What factors influence early entrant teachers' perception of effective professional development?
- What are the challenges and difficulties faced by early entrant teachers in their professional development?

7.3 FINDINGS OF THE STUDY

The Role of the South African Council of Educators in the development of early entrant educators.

This research study identified that early entrant teachers' professional development had a positive impact on teaching practice. This finding implies that professional development for early entrant teachers is important to ensure high quality teaching. In general, teachers' professional development is viewed as a platform for professional learning. As teachers develop better content knowledge through participation in professional development programmes provided by the South African Council of Educators, they become more confident with their own practice (Harris et al., 2010). The finding further revealed that teachers' understanding of the subject was enhanced

through the sharing of ideas among colleagues and the constructive feedback given by others. Consequently, as the teachers developed better understanding of the subject, they were able to address the issues that their students faced with the learning (Fishman *et al*., 2003). This will result to better student understanding of the subject taught.

Professional development for early entrant teachers also enables teachers to become reflective practitioners as they become more aware and conscious of their own teaching practice (Desimone, 2009; Guskey 2000). Most importantly, teachers' professional development experience also allows them to keep up with the changes taking place in the education system and as a result ensures that their teaching practice remain relevant to their students' needs.

7.3.1 Factors that influenced teachers' perception of effective professional development

The literature base reviewed in Chapter two and the research study findings as reported in Chapter four concur that early entrant teachers perceived a professional development for teachers is effective when all the criteria below are met:

- strong focus on student learning
- collegial learning strategies
- addresses teachers' specific needs
- realistic time frame and proper planning
- provides support and feedbacks

As discussed earlier, early entrant teachers' perceptions of what makes an effective professional development are influenced by several factors. One of the most significant factors that contribute to the effectiveness of any teachers' professional development is the strong focus on student learning (Guskey, 2000).

In addition, teachers learn better from professional development that integrates collegial learning strategies (Desimone *et al*., 2002; Hawley & Valli, 1999). This is because collegial learning strategies give teachers more opportunities to participate in active learning.

The study also discovers that it is important that teachers' existing knowledge and skill are taken into consideration so that the professional development experienced helps

to address their specific needs. This finding stresses the need for cohesive professional development for teachers so that new knowledge learned can easily be consolidated into practice.

In addition, time is also identified as a significant to the success of teachers' professional development experience. To ensure that the changes made to teaching practice as intended by the reform are sustained, it is imperative that the teachers are given adequate amount of time to consolidate the new knowledge and skills into their practice (Birman *et al*, 2000).

Finally, both the literature and the research findings acknowledge the importance of providing teachers with adequate support and feedback to sustain the changes made to their teaching practice. (Garet et al., 2001).

7.3.2 The challenges and difficulties faced

The teachers in the school studied identified external professional development overload as one of the challenges they faced in relation to their professional development experience. The teachers believe that they are able to grasp the new knowledge learned and consolidate it into their practice if they are to experience one professional development at one time and then given adequate amount of time to practise and get it embedded into their teaching practice. This finding is consistent with the claim made by Guskey (1995) for schools to begin any educational reform by taking small steps.

In addition, the lack of continuity and follow-up due to poor planning are also said to be affecting the teachers' ability to sustain the changes made to their practice. It is important that teachers experience coherent professional development so that they are able to relate it to their previous professional learning experiences and make it a meaningful experience.

7.4 RESEARCH LIMITATION

A limitation of this research study is its size as it is a case study of one secondary school in Tembisa. Hence, due to the small sample size, it is not possible to generalise the findings of this research study to a larger population. However, extreme care and measure were taken to ensure the reliability of data collected and to protect the integrity of these research findings. This has involved the use methodological

triangulation and data source triangulation during the data collection process in the school studied.

This research study also looked into early entrant teachers' overall professional experiences and the role of the South African Council of Educators in the professional development of teachers, which may vary according to the individual experience. The teachers' perceptions of the impact of professional development on their teaching practice as discussed in Chapter four were the results of their personal experience. Perhaps it would be better if the study were focused on studying the teachers' perceptions of the impact of a specific professional development experienced.

Time stood as the main challenge to this research study. The time spent on data collection for this research study was also limited due to the research participants' hectic schedule. Although the school studied was small in size, it was impossible to have all the teachers interviewed and had their voices heard. Only twelve participants could be interviewed due to the time constraint, hence the findings may not be a complete representation of the teachers' overall professional development experience.

7.4 RECOMMENDATIONS

First, as discussed earlier in chapter six, the participants responded that they believed that effective professional development for teachers need to be one that is designed to meet their specific needs. However, the literature highlighted the practicality and the costs associated with providing teachers with a specially tailored professional development (Wayne et al., 2008). Realising the importance of meeting early entrant teachers' specific needs as indicated by the participants, there is pressing need for schools to tap into its teacher's pool of expertise and form collaborations between the teachers and external experts.

Second, there need to be a proper and systematic planning of early entrant teachers' professional development programmes to:

- prevent professional development overload
- ensure coherence with previous professional development experiences
- consolidate the new knowledge and
- sustain the changes made to teaching practice

Third, schools need to focus on strengthening its professional learning communities to provide teachers the platform for continuous learning opportunities where they can learn from each other. This is supported by Sparks and Hirsh (1997) who maintain that change in teaching practice is easier to sustain through collegial type professional development.

Fourth, professional learning for early entrant teachers need to be able to address the concerns that they have in relation to their students' learning and achievement (Hawley & Valli, 1999). As the participants had indicated in Chapter six, they are more motivated to take part in professional development that they believe will addresses the issues they have with their students' learning.

7.4.1 Research recommendation

This research study can be further replicated to involve more schools to increase the validity and reliability of its findings. It is recommended that this research be conducted on a group of early entrant teachers who had experienced similar professional development so that their perception of the South African Council of Educators be better understood in respect of the professional development of educators.

7.5 CONCLUSION

Overall, this research study identifies that early entrant teachers believe that they need to continuously work on improving their practice to ensure that they are able to facilitate their students learning more effectively. Having too many professional development programmes that are arranged at close interval period of time is believed to have affected the teachers' ability to sustain the changes to teaching practice as planned.

Early entrant Teachers participating in this research study highlighted that it would be more effective if they were to experience one professional development at one time. Providing early entrant teachers with adequate time to consolidate their new knowledge into practice and to apply it into the classroom is said to be more effective and helps to boost teachers' confidence with their own practice. New practices can further be reinforced through professional learning communities where the teachers are encourage to share their knowledge and experiences with each other and to support their professional learning experience. The teachers also stress that

professional development for teachers need to address their specific needs so that the experience becomes more meaningful and not viewed as a burden.

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APPENDICES

Appendix A: Ethical clearance from the Central University of Technology, Free State Ethics Committee

Central University of Technology, Free State

RESEARCH ETHICS APPROVAL

Date: 21 September 2017

1.1.1 This is to confirm that ethical clearance has been provided by the Faculty Research and Innovation Committee in view of the CUT Research Ethics and Integrity Framework, 2016 with reference number **[D FRIC 17/02/16].**

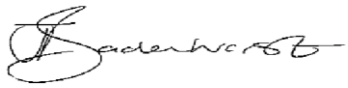
Applicant's Name	MAKOA, MM (209022353)
Supervisor Name for Student Project (where applicable)	Dr. L. J Segalo Mr MA Modise
Level of Qualification for Student Project (where applicable)	M.Ed
Tittle of research project	The Role of the South African Council of Educators in the development of pre-service and early entrant teachers .

The following special conditions were set:

x	Ethical measures as outlined in the proposal and which have been endorsed by the Faculty Research and Innovation Committee have to be adhered to.

We wish you success with your research project.

Regards



Prof JW Badenhorst

(Ethics committee representative: Research with humans)

Appendix B Permission Letter from the Dean's Office

Central University of Technology, Free State

FACULTY OF HUMANITIES

Faculty of Humanities
Private Bag X 20359
Bloemfontein
9300
SOUTH AFRICA

Dear Examination office of Masters and Doctoral degrees

I, Prof Nellie Nosisi Feza, Dean of Humanities approve examination of the thesis titled:
The Role of the South African Council of Educators in The Development of Early Entrant Teachers

By Mr. MM Makoa

The submission meets the requirements of a quality supervised thesis.

Yours truly

Prof Nosisi Nellie Feza
Dean: Faculty of Humanities
Tel: +27 51 507 4130|Fax: +27 51 507 3751 |
E-mail: nfeza@cut.ac.za
Central University of Technology, Free State (CUT)
Private Bag X20539, Bloemfontein, 9300,South Africa

Appendix C: Permission Granting Letter: Gauteng Department of Education

GAUTENG PROVINCE
Department: Education
REPUBLIC OF SOUTH AFRICA

814141112

GDE RESEARCH APPROVAL LETTER

Date:	08 May 2018
Validity of Research Approval:	05 February 2018 — 28 September 2018 2018/53
Name of Researcher:	Makoa MM
Address of Researcher:	1027 CBlock Letsatsi Radebe
	Protea North
	Soweto 1818
Telephone Number:	011 746 8157 073 979 2519
Email address:	makoam@hbc.ac.za
Research Topic:	The role of the South African Council of Educators in the development of early entrant teachers.
Type of qualification	Master of Education
Number and type of schools:	One Secondary School
District/s/HO	Ekurhuleni North

Re: Approval in Respect of Request to Conduct Research

This letter serves to indicate that approval is hereby granted to the above-mentioned researcher to proceed with research in respect of the study indicated above. The onus rests with the researcher to negotiate appropriate and relevant time schedules with the school/s and/or offices involved to conduct the research. A separate copy of this letter must be presented to both the School (both Principal and SGB) and the District/Head Office Senior Manager confirming that permission has been granted for the research to be conducted.

The following conditions apply to GDE research. The researcher may proceed with the above study subject to the conditions listed below being met. Approval may be withdrawn should any of the conditions listed below be flouted:

Making education a soc;e priority

Office of the Director: Education Research and Knowledge Management

7th Floor, 17 Simmonds Street, Johannesburg, 2001
Tel: (01 1) 355 0488
Email: Faith.Tshabalala@gauteng.gov.za
Website: www.education.gpg.gov.za

1. The District/Head Office Senior Manager/s concerned must be presented with a copy of this letter that would indicate that the said researcher/s has/have been granted permission from the Gauteng Department of Education to conduct the research study.
2 The District/Head Office Senior Manager/s must be approached separately, and in writing, for permission to involve District/Head Office Officials in the project.
3. A copy of this letter must be forwarded to the school principal and the chairperson of the School Governing Body (SGB) that would indicate that the researcher/s have been granted permission from the Gauteng Department of Education to conduct the research study.
4. A letter/ document that outline the purpose of the research and the anticipated outcomes of such research must be made available to the principals, SGBs and District/Head Office Senior Managers of the schools and districts/offices concerned, respectively.
5. The Researcher will make every effort obtain the goodwill and co-operation of all the GDE officials, principals, and chairpersons of the SGBs, teachers and leamers involved. Persons who offer their co-operation will not receive additional remuneration from the Department while those that opt not to participate will not be penalised in any way.
6. Research may only be conducted after school hours so that the normal school programme is not interrupted. The Principal (if at a school) and/or Director (if at a district/head office) must be consulted about an appropriate time when the researcher/s may cany out their research at the sites that they manage.
7. Research may only commence from the second week of February and must be concluded before the beginning of the last quatter of the academic year. If incomplete, an amended Research Approval letter may be requested to conduct research in the following year.
8. Items 6 and 7 will not apply to any research effort being undertaken on behalf of the GDE. Such research will have been commissioned and be paid for by the Gauteng Depattment of Education.
9. It is the researcher's responsibility to obtain written parental consent of all learners that are expected to participate in the study.
10. The researcher is responsible for supplying and utilising his/her own research resources, such as stationery, photocopies, transport, faxes and telephones and should not depend on the goodwill of the institutions and/or the offices visited for supplying such resources.
11. The names of the GDE officials, schools, principals, parents, teachers and learners that participate in the study may not appear in the research report without the written consent of each of these individuals and/or organisations.
12. On completion of the study the researcher/s must supply the Director: Knowledge Management & Research with one Hard Cover bound and an electronic copy of the research.
13. The researcher may be expected to provide short presentations on the purpose, findings and recommendations of his/her research to both GDE officials and the schools concerned.
14. Should the researcher have been involved with research at a school and/or a district/head office level, the Director concerned must also be supplied with a brief summary of the purpose, findings and recommendations of the research study.

The Gauteng Department of Education wishes you well in this important undertaking and looks forward to examining the findings of your research study.

Kind regards

Ms Faith Tshabalala
CES: Education Research and Knowledge Management

DATE: 08/05/2018

Making education a societal priority

Office of the Director: Education Research and Knowledge Management
7th Floor, 17 Simmonds Street, Johannesburg, 2001
Tel: (01 1) 355 0488
Email: Faith.Tshabalala@gauteng.gov.za
Website: www.education.gpg.gov.za

Appendix D: Permission Granting Letter from School

1027 C BLOCK Letsatsi Radebe Street

Protea North

SOWETO

1818

2017/10/01

Dear Principal

I am currently conducting a research study on **"*The Role of the South African Council of Educators in the development of early entrant teachers".*** Ethical clearance has been granted and I am currently awaiting the approval from GDE as per research protocol and process.

For the purpose of this research, I would therefore request that early entrant teachers in your school complete the questionnaire as your school forms part of the sample. However, no one should be coerced into responding.

The topic may be perceived as sensitive and controversial but educators are assured that all research ethics will be adhered to. They are kindly requested to be honest and open as possible. The success of the research rest solely on their willingness to divulge required information, especially in section B which allows an individual to air his/her personal experiences or feelings.

Your cooperation and support will be highly appreciated. I thank you and your staff in advance.

Yours in Education

Moshe Moses Makoa

Appendix E

CONSENT FORM COMPLETED BY:

I, the undersigned …… (full names & surnames)

Declare that:

- I am aware of the nature of this research as it has been explained to me;
- I voluntary consent to participate in the completion of this anonymous questionnaire;
- I do not have any personal interest in this research;
- I give the researcher permission to use the data for the scientific purposes.

……Date ……Signed at ……

1…….

(Signature and name in print)

2…….

(Signature and name in print)

Appendix F: Language Editing Certificate

Stevens Editing and Proofreading

Charlotte Stevens *: BA (English; Industrial Psychology)*
Sole Trader
e-mail: ajc.stevens@gmail.com

Language Editor & Proofreader **Full Member:** ***PEG (SA)***
IPEd (WA)

THIS IS TO CERTIFY

That I have language edited a Master Dissertation on "***The role of the South African Council of Educators in the development of early entrant teachers",*** for Mr MM MAKOA, a Masters student at the Central University of Technology (CUT), Welkom campus, Free State province, South Africa.

The scope of my editing comprised:

- Spelling
- Tense
- Vocabulary
- Punctuation
- Word usage
- Language and sentence structure
- Checking of in-text referencing style

My best wishes for a successful career accompany Mr Makoa.

Charlotte Stevens (Ms)
Stevens Editing and Proofreading
E: ajc.stevens@gmail.com
October 2018